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City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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AGENDA

Thursday, January 12, 1989
Department of Public Health
101 Grove Street, Room 300 (third floor)
TIME: 9:00 A.M.

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1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeting of December 8, 1988
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Rosemaire Fernandez, Chairperson
a) Adoption of an HRC Policy Prohibiting Discrimination in Employment in the Basis of AIDS within this Agency.

b) Conflict of interest laws relating to members of the community who serve or may serve on various committees of the Human Rights Commission.

c) Committee Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

No Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

a) Committee Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

a) Committee Report

b) Approve letter regarding the SHAPE campaign

(continue)

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MBE/WBE/LBE COMMUNITY ADIVSORY: Commissioner May Jaber, Chairperson

No Committee Report

SOCIAL ISSUES/POLICE LIAISON: Commissioner Father Peter J. Sammon, chairperson

No Committee Report

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

a) Approve Letters/Staff Report

8. New Matters

9. Calendar Matters

10. Remarks from the Audience

11. Executive Session
Report of Personnel Search Committee

12. Adjournment

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, January 12, 1989

NEXT MEETING

DATE: Thursday, January 26, 1989
TIME: 9 A.M.
PLACE: Department of Public Health Auditorium
Room 300, Third Floor
101 Grove Street
San Francisco, CA 94102

ROLL CALL

Commissioners

Present:
Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (Presiding), Isadore Pivnick, and Father Peter Sammon.

Excused: None

Staff

Present: Frank Anderson (Interim Director), Larry Brinkin, Linda Chin, James Fields, Don Hesse, John Hurst (Intern), Norm Nickens, Clemente Obregon, Gail P. Roberts, Pansy Ponzio Waller, Jackie Winnow, and Gary Wong.

Guests: Janice Orr Cramer, Kozmick Ladye; Debra Moon, SFSU student; Chris Nunez, Gay/Lesbian Youth Advocacy Council of San Francisco; Lester Olmstead-Rose, Community United Against Violence: Randy Riddle, Deputy City Attorney; and the Rev. Jim Schexnayder, AIDS Ministry Task Force of the Catholic Diocese of Oakland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The Minutes of the meeting of December 8, 1988 were approved as mailed.

COMMUNICATIONS

To John J. Walsh, General Manager, Personnel, from Frank Anderson, Interim Director, a memorandum dated November 17, 1988, providing a status report on the Civil Service Commission policy regarding employees with AIDS and noting that HRC employees received indepth education June 1, 1988 on AIDS prevention, nondiscrimination, and the related Civil Service policies.

To All Department Heads from Art Agnos, Mayor, a memorandum received December 16, 1988 suggesting departmental participation in an "end of the year" food drive to benefit the Emergency Food Box.

To City Department Heads from D. W. Coffey, General Manager, Public Utilities Commission, a memorandum received December 29, 1988, requesting that bumper stickers promoting water conversation: "Rain or shine...there's never enough water to waste" be placed on all City government vehicles.

To Frank Anderson, Acting Director, from City Attorney Louise H. Renne and Deputies Burk E. Delventhal and John E. Morris, a memorandum received December 29, 1988 requesting any laws, rules or agreements that fall within the jurisdiction of the HRC that use a marital or family relationship as a criterion for the enjoyment of some right or benefit for City employees and for citizens in general. The information for this survey requested by the Board to be submitted by January 20, 1989.

To All Department Heads, Boards and Commissions from James Werdell, General Manager, Department of Electricity, a memorandum received December 29, 1988, issuing an invitation to attend a seminar on voice storage and retrieval technology, more commonly called voice mail, on Thursday, January 12, 1989.

To All Appointing Officers, Departmental Personnel Officers from Civil Service Commission Equal Employment Opportunity Unit announcing the availability of free educational workshops on AIDS/ARC and HIV infection conducted by the San Francisco AIDS Foundation staff.

To All Departments, Boards and Commissions from James Werdell, General Manager, Department of Electricity, a memorandum received December 30, 1988, providing information for developing estimates for telephone costs for Fiscal Year 1989-90.

From Bill McLeod, San Francisco Publicity Office, Orion Pictures Corporation, a letter received January 4, 1989, extending an invitation to a preview screening of the movie "MISSISSIPPI BURNING".

To Department Heads from Mayor Art Agnos, a memorandum received January 5, 1989, outlining steps to develop a coordinated plan for compliance with Section 504 of the Rehabilitation Act of 1973 to ensure that City services are available and accessible to the disabled community.

From Claude T. Everhart, Deputy Mayor, Government Operations, a letter received January 5, 1989, transmitting "Fair Compensation in a Time of Fiscal Crisis," a task force report by the Coro Foundation's City Focus participants reviewing San Francisco's employee compensation process.

To John Walsh, General Manager, Personnel, from Larry Martin, Chair, a letter dated January 11, 1989, requesting an immediate adjustment to the salary of Class 2986, Director, Human Rights Commission, in order that the Commission may proceed to recruit and select a qualified candidate for Director.

A flyer announcing the January 16, 1989 Freedom March in Honor of Martin Luther King, Jr. and transmitting information describing a five-part EYEWITNESS NEWS series on racism called HATE THY NEIGHBOR from January 9 through January 13, 1989.

CHAIRPERSON'S REPORT

Chairperson Martin explained that he had been having discussions with the Mayor regarding a "wish list" of items to be included in the FY89-90 budget and the possible relocation of the HRC offices. Commissioners were reminded of the executive session at the close of this meeting.

INTERIM DIRECTOR'S REPORT

Frank Anderson welcomed the Commissioners for the beginning of the new year. Mr. Anderson announced that two of the staff, Bernedette Patrocinio and Pansy Ponzio Waller, have additions to their families, both baby boys.

The Commission meeting, which was being held in the War Memorial Building, Room 110B, had originally been scheduled for the Department of Public Health Auditorium; however, that was cancelled due to a prior but unlisted conflict. Frank Anderson related this sequence because it points out the problems experienced by the Commission not having a permanent meeting location.

Summarizing activity since the last meeting, Mr. Anderson reported that staff has been closing out complaints and end-of-year projects. The Interim Director has been meeting individually with Commissioners for orientation. Frank Anderson noted that he had recently held a two-hour orientation session for committee staffers in order that Commissioners and staffers share common information and expectations. Frank Anderson stated that he had been negotiating with the departments with which the HRC has work orders: Airport, Clean Water and Port.

Frank Anderson observed that there had been a productive meeting of the Administrative Committee. The meeting was held in a facility being considered for the HRC. The budget process is starting. A "wish list" of budget items is being prepared and will be transmitted to the Mayor's Office. The issue of Conflict of Interest for members of standing comitees has been pending for many months. Mr. Anderson hoped that this issue can be resolved expeditiously. The Mayor's Office is surveying the availability and accessibility of City services to the disabled community in accordance with Section 504 of the Rehabilitation Act of 1973. This communication is included in the correspondence.

Mr. Anderson related that there are two new Supervisors and that Sam Yockey is the newly appointed Controller. Members of the Human Services Committee, the Board of Supervisors' committee to which many of the HRC issues are referred, are Supervisors Alioto (Chair), Hongisto, and Gonzalez.

Frank Anderson stated that Monday, January 16th, is the Martin Luther King, Jr. observance. There will be a Freedom March down Market Street on Monday. The HRC via the Friends of the HRC had been more actively involved in previous years in the observances than for this year. Interim Director Anderson requested that this Commission meeting be adjourned in honor of Dr. King.

STANDING COMMITTEES

ADMINISTRATIVE

- Committee Report

Commissioner Fernandez expressed her pleasure at being back on the Commission, following her maternity leave, and is looking forward to working with Commissioners.

The meeting of the Administrative Committee was January 6th and was held at the Commission on Aging offices. Those in attendance were Commissioners Chinn, Fernandez, Gillette, Graff, Jaber, Kai, Martin and Pivnick. Commissioner Fernandez observed that the Commission on Aging offices were quite lovely and this location would make excellent offices for the HRC which would then be in conformity with Section 504 of the Rehabilitation Act of 1973 and would provide a better and safer environment. A high priority for the FY 89-90 budget is the relocation of the HRC offices. Interim Director Anderson stated that several City and County (agencies the Commission on Aging, Public Administrator and Public Guardian, Parking Authority, and Real Estate, and the AIDS Foundation are already located at 25 Van Ness Avenue. Commissioner Martin explained that, because of the budget implications of the possible move, it was imperative to work with the Mayor's Office. A commitment from the Mayor would be necessary prior to talking with the landlord at 25 Van Ness Avenue. Commissioner Martin reminded Commissioners that the Board of Supervisors cannot add budget items, they can only delete items and that is why it is vital to obtain support of the Mayor's Office. Commissioner Lockhart requested a time line and the steps to be taken for both the FY 89-90 budget and the prospective move. Commissioner Fernandez stated that this would be done following an informal meeting to be held soon with the Mayor.

Commissioner Fernandez announced that committee chairs working with committee staffers are to put together, in brief outline form, their priorities and objectives, submitting then by the end of January. Commissioners Martin and Fernandez and Interim Director Anderson will prepare the Administrative priorities and objectives. Revitalizing of the standing committees is important. The appointment of new members as soon as possible is urged.

The Administrative Committee discussed a possible "wish list" of items to be requested as part of the FY 89-90 General Fund budget. The proposed budget is to be submitted to the Mayor's Office by mid February and is to be reviewed at the next meeting of the Administrative Committee.

The HRC administrative codes are in the process of being reviewed. Proposed changes will be brought to the Commission.

Each department has been requested by the Mayor's Office to determine the accessibility of their facilities in conformity with Section 504. The restrooms in the HRC offices are not wheelchair accessible.

- Adoption of an HRC Policy Prohibiting Discrimination in Employment on the Basis of AIDS within this Agency.

Norm Nickens, AIDS Discrimination Representative, presented the background on this issue. Representatives of Supervisor Doris Ward's Office and the Civil Service Commission and the HRC met to make changes in the HRC Nondiscrimination Ordinance to require City and County contractors to make reasonable accommodation. The Civil Service Commission issued a Policy Statement prohibiting discrimination in employment on the basis of AIDS. The HRC needs to adopt a policy applicable to it as a City agency and as an employer.

To change the policy statement from a Civil Service to an HRC policy, HRC is to be substituted for Civil Service and the HRC's AIDS/ARC Unit is the designated unit.

It was then
*** m/s/c that the Human Rights Commission adopt a Policy prohibiting discrimination in employment on the basis of AIDS within this Agency. A copy of this Policy is attached.

- Conflict of Interest laws relating to members of the community who serve or may serve on various committees of the Human Rights Commission.

Frank Anderson explained that this issue had been pending before the Commission for many months. The original Opinion of the City Attorney was issued April 25, 1988 and was discussed at length at the October 6, 1988 meeting of the Administrative Committee. The newly issued Opinion incorporates information on each of the standing committees.

At the request of the Administrative Committee, Randy Riddle, the Deputy City Attorney who prepared the Opinion, was available to answer questions. Commissioner Fernandez questioned the definition of "public officials" and its impact on members of standing committees. Mr. Riddle explained that the Fair Political Practices Commission, the state agency charged with administering and enforcing the Political Reform Act, states that a board or commission has decision-making authority if:

"It makes substantive recommendations which are, and over an extended period of time have been, regularly approved without significant amendment or modification by another public official or governmental agency."

Mr. Riddle noted that the HRC committees make recommendations which are substantive in nature that the Commission routinely adopts without significant modification.

Commissioner Fernandez requested that the 4/25/88 Opinion be attached to the more recent Opinion for clarity. Mr. Riddle stated that he will be providing additional information on Conflict of Interest to the Interim Director for distribution.

Commissioner Kai inquired about the reference to the Housing and Urban Development Committee acting upon legislation Mr. Riddle responded that legislation was used as an example only.

Commissioner Gillette wondered about the difference between the two Opinions. Deputy City Attorney Riddle stated that the 4/25/88 Opinion dealt only with the MBE/WBE/LBE Advisory Committee. The subsequent Opinion was broadened to cover all of the HRC standing committees. Commissioner Martin observed that this Opinion provides general guidelines; however, we may have to seek advice in specific situations.

Commissioner Martin requested that the names of prospective committee members and the names of those who may have a conflict of interest be submitted to him.

It was then
*** m/s/c that the Human Rights Commission adopt the Opinion issued by the City

Attorney on Conflict of Interest with the change in date from January 3, 1988 to January 3, 1989.

Deputy City Attorney Randy Riddle was thanked for all his work.

EMPLOYMENT

Commissioner Gillette reported that the Employment Committee Commissioners and staff would be getting together immediately following this Commission meeting. The full Employment Committee will meet January 19th.

HOUSING AND URBAN DEVELOPMENT

- Committee Report

Commissioner Kai reported that the Housing and Urban Development Committee met December 20, 1988 in the HRC offices at which time membership was discussed and staff described the role of the Committee and the new federal Fair Housing requirements. Commissioner Martin, who was in attendance, requested that the Committee focus on the issue of the homeless. Don Hesse described the funding and staffing of the housing staff. A survey of a profile of the occupants of City-assisted housing is in progress. Amendments to Article 1.2 of the S.F. Municipal (Police) Code, prohibiting discrimination in the rental of housing against families with minor children, are in the offing.

The regular meeting schedule of the Housing and Urban Development Committee is the fourth Tuesday at 3:30 P.M. in the HRC offices; therefore, the next meeting is January 24, 1989. The focus of the Committee is the issue of the homeless.

LESBIAN/GAY ADVISORY

- Committee Report

Commissioner Graff called upon Commissioner Chinn who in turn called upon Committee staffer Jackie Winnow. Ms. Winnow explained the process of recruiting new members for the Committee. After extensive advertisement of the openings, 29 applications were received. Of these, 19 will be interviewed for the ten openings on the Committee. One person who applied is former Commissioner Phyllis Lyon, who was one of the original three person Gay Advisory Committee: The Committee accepted Ms. Lyon as a member by acclamation. Jackie Winnow explained that the Lesbian/Gay Advisory Committee is the only committee for which San Francisco residency is required, in Chapter 12A. It is hoped that this provision can be deleted.

- Approve letter Regarding the SHAPE Campaign

Sexual Orientation Discrimination Representative Larry Brinkin announced that the California Coalition for Traditional Values (CCTV), which has been waging the statewide California SHAPE (Stop Homosexual Advocacy in Public Education) campaign had been invited to make a statement to the Commission, but so far has not responded.

The Commission is being requested to authorize the sending of two letters, one letter to the Contra Costa County Human Relations Commission expressing grave concern about the SHAPE campaign and encouraging them to work against the campaign in Contra Costa County. The second letter is to the California Association of Human Rights Organizations requesting them to organize a campaign against SHAPE in California. Mr. Brinkin explained that Contra Costa County had been targeted by the SHAPE campaign as the focal point for its activities in Northern California. All counties, however, including San Francisco, are threatened by the violent language and homophobia of the campaign. He then introduced three speakers.

The Rev. Jim Schexnayder, Director of the AIDS Ministry Task Force of the Catholic Diocese of Oakland, described the combative rhetoric of the SHAPE campaign, e.g. "fired the first round," which is prone to generate violence. A representative of the police department has stated that rhetoric can incite people to violence. Father Schexnayder quoted from the "Many Faces of AIDS 1987" Report by the U.S. Catholic Conference of Bishops which described the harmful effect of animosity, division and hatred, the very things promulgated by SHAPE. He described the efforts of CCTV to promote the SHAPE campaign in Contra Costa County in general and in the City of Concord in particular. Openly Lesbian/Gay persons have received death threats in Contra Costa County including a Gay HRC Commissioner. Father Schexnayder urged HRC opposition to the SHAPE Campaign.

Chris Nunez, Gay/Lesbian Youth Advisory Council of San Francisco, described programs such as the Community United Against Violence's Speakers Bureau which combats homophobia in San Francisco public schools, and how the SHAPE Campaign could have a destructive impact on this long standing constructive program. Ms. Nunez described two pieces of State legislation. The SFUSD (San Francisco Unified School District) is already in conformity with the provisions of the Russell law, which provides that attendance is not required for family life education classes, and that sexual abstinence is to be encouraged; however, safe sex is promoted. The State Board of Education's recently adopted guidelines for Health and Family Education encourage districts to develop locally relevant programs. The proposed Wyman bill, which has yet to be introduced, puts the SHAPE campaign into legislation and would limit the autonomy of school districts. Ms. Nunez explained that "fighting brush fires", such as opposing the SHAPE campaign, takes time away from both the Speakers Bureau and the SFUSD's Health and Family Life Education Advisory Committee, of which she is chair, presenting factual, accurate information in the public schools. Chris Nunez encouraged others to support the SFUSD's efforts to combat homophobia and to combat the SHAPE campaign and repressive legislation.

Lester Olmstead-Rose, Interim Director of Community United Against Violence, stated that San Francisco does have a problem which the SHAPE campaign exacerbates. In 1988, there were 238 recorded incidences of hate-motivated violence against Lesbians and Gays, largely by teenagers. Mr. Olsmtead-Rose related that there is a substantial increase in acts of violence by teenagers from outside of San Francisco who come here for "fag-bashing". The SHAPE campaign rhetoric promotes violence, misinformation and scapegoating. Responsible organizations such as the HRC must take seriously the threat posed by SHAPE and encourage others to do this also. Mr. Olmstead-Rose reiterated that the SHAPE campaign is a San Francisco problem.

Commissioner Chinn proposed substituting a paragraph in the draft letter to the Contra Costa County Human Relations Commission.

It was then
*** m/s/c that the Human Rights Commission approve the sending of a letter to the Contra Costa County Human Relations Commission, as amended, and a letter to the California Association of Human Rights Organizations in opposition to the SHAPE (Stop Homosexual Advocacy in Public Education) campaign of the California Coalition for Traditional Values. Copies of these letters are attached.

MBE/WBE/LBE COMMUNITY

Commissioner Jaber reported that no meeting of the MBE/WBE/LBE Community Advisory Committee has been scheduled.

Interim Director Anderson stated that it is anticipated that the Human Services Committee of the Board of Supervisors, at their February meeting, will be discussing the possible extension for three years of the MBE/WBE/LBE Ordinance.

SOCIAL ISSUES/POLICE LIAISON

Commissioner Sammon stated that the Social Issues/Police Liaison Committee will hold its first meeting on Tuesday, January 24, 1989, at 9:30 A.M. to discuss goals and priorities and committee membership.

YOUTH AND EDUCATION

- Approve Letters/Staff Report

Commissioner Pivnick, explaining that staff had forwarded to him a copy of the Delinquency Prevention Commission's recent report, commended that Commission for this report. He will be sharing their recommendations with his fellow Commissioners.

James Fields, committee staffer, reported that the Youth and Education Committee met December 15, 1988, at which time the new Commissioners were introduced and future issues and the status of previous issues were discussed. The Youth and Education Committee is in the process of expanding its membership. Mr. Fields related that he anticipates receiving, within the next six weeks, a copy of the 600 page 1988 Omnibus Crime Act.

NEW MATTERS

Interim Director Anderson requested Gail P. Roberts, who coordinated the HRC's participation in the Employees Giving Campaign, to report on the Combined Charities Drive. Ms. Roberts reported that the HRC, Commissioners and staff, contributed $2082, up from $1312 the previous year. While only 5% contributed last year, 78.04% (8 of 11 Commissioners and 24 out of 29 staff) contributed this year. Gail Roberts particularly thanked Commissioners for their active participation, in marked contrast to no commissioner involvement last year. The per capita contribution (the total donations divided by the number of employees) was $50.78 this year and $30.02 last year. For the campaign as a whole, in excess of $290,000 has been contributed by 30% of City employees. The HRC clearly did better than the City Wide averages. Frank Anderson commended Gail P. Roberts for an excellent job as HRC coordinator of the Combined Charities Drive.

CALENDAR MATTERS

The next regularly scheduled meeting of the HRC is scheduled for Thursday, January 26, 1989 at 9 A.M., probably in a new location. The Administrative Committee will be meeting the week of January 30th. Frank Anderson related that a master calendar of Commission events will be prepared and distributed. Mr. Anderson noted that attendance and punctuality will be discussed at the next meeting of the Administrative Committee.

STANDING COMMITTEES

ADMINISTRATIVE	To be Announced
EMPLOYMENT	Thursday, January 19, 1989 9:30 A.M. 1850 Mission Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, January 24, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street
LESBIAN/GAY ADVISORY	Tuesday, January 24, 1989 5:30 P.M. State Building 350 McAllister St., Room 1200
MBE/WBE/LBE COMMUNITY ADVISORY	To be Announced
SOCIAL ISSUES AND POLICE LIAISON	Tuesday, January 24, 1989 9:30 A.M. HRC Conference Room 509 1095 Market Street

YOUTH AND EDUCATION

Thursday, January 19, 1989
3:30 P.M.
State Building
350 McAllister St., Room 1200

REMARKS FROM THE AUDIENCE

Janice Orr Cramer made a presentation as Kozmick Ladye and distributed materials to Commissioners.

EXECUTIVE SESSION

Prior to going into executive session to discuss the report of the Personnel Search Committee, Commissioner Martin requested those present to join him in a moment of silent tribute to Dr. Martin Luther King, Jr.

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin.

Respectfully submitted,

Frank V. Anderson
Interim Director
via
Gail P. Roberts

FVA:GPR:pa
[Minutes]MIN

Attachment #1

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

HUMAN RIGHTS COMMISSION

POLICY STATEMENT PROHIBITING DISCRIMINATION IN EMPLOYMENT ON THE BASIS OF ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS), ACQUIRED IMMUNE DEFICIENCY SYNDROME RELATED COMPLEX (ARC), HUMAN IMMUNODEFICIENCY VIRUS INFECTION (HIV INFECTION) OR ANY MEDICAL SIGNS OR SYMPTOMS RELATED THERETO.

It is the policy of the City and County of San Francisco Human Rights Commission to prohibit discrimination in the compensation, terms, conditions and privileges of employment on the basis that any employee or applicant for employment with the Commission:

> has, is perceived as having or has a history of having the conditions known as Acquired Immune Deficiency Syndrome (AIDS), Acquired Immune Deficiency Syndrome Related Complex (ARC), Human Immunodeficiency Virus Infection (HIV infection) or any medical signs or symptoms related thereto.

The Commission finds that AIDS, ARC and HIV infection are national and local health concerns not confined to any single community, the effects of which cut across all communities, impacting all arenas of life, including that of the employment setting. To provide assistance to employees in managing this concern in the employment setting, the Commission establishes the following policy guideline:

1. The current and best medical evidence is that AIDS, ARC and HIV infection do not pose a threat of contagion of transmission from worker to co-workers through everyday contact common in the work environment;

2. AIDS, ARC and HIV Infection are life threatening illnesses, which may be regarded as handicaps under prevailing local, state and federal law. Infection with HIV is protected under state and local law. Each individual responds differently to the illness in terms of ability to work. On this basis, as with all other handicaps, departments are required to make reasonable accommodations to facilitate the ability of employees with AIDS, ARC or HIV infection to continue working as long as they desire and are able to perform the essential functions of the job with accommodation;

3. Like all other medical information and records, the conditions of AIDS, ARC or HIV infection in an employee or applicant are subject to privacy protection and all employees have a right to the confidentiality of medical information. Departmental

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 9410

personnel having access to an individual's medical records or those having knowledge of a medical condition have a duty to preserve the privacy and confidentiality of the information. To that end, it is imperative that such information not be shared without the express and prior written permission of the individual having the condition;

4. In that employees with AIDS, ARC or HIV infection do not pose a threat of contagion to co-workers through everyday work place contact, the refusal by co-worker(s) to work with an individual having or perceived to have AIDS, ARC or HIV infection can be considered insubordination, subject to due process disciplinary action in consideration of the specific facts and circumstances of the refusal. Similarly, members of the public with AIDS, ARC or HIV infection pose no threat of contagion to employees providing common public services and the refusal of any employee to provide public service on this basis can be grounds for disciplinary action;

5. The Commission must treat AIDS, ARC and HIV infection as it would any other life threatening illness and must therefore apply and comply with all Civil Service Commission rules which govern employee health, including but not limited to leaves of absence, disability transfers and medical examinations. Under no circumstances shall an employee or applicant be required as condition of pre-employment or employment to undergo any tests to detect the presence of the HIV antibody, antigen or virus;

6. Employees who are affected by any life threatening illness should be treated with compassion and understanding. Commission personnel should provide support and encouragement and foster, by example, an attitude of sensitivity to the needs of chronically ill colleagues, recognizing that continued employment and interaction in the work environment can be physically, mentally and emotionally beneficial. Similiarly, such compassion should be shown to employees who have a family member or significant other who has AIDS, ARC or HIV infection;

7. Given the fears that AIDS, ARC and HIV infection often inspire, the most effective way to avoid disruption and discrimination in the work place is to prepare and educate all employees. In fostering a rational, compassionate and non-discriminatory understanding of AIDS, ARC and HIV infection in the work place, the Commission should implement educational programs. These programs should be based on the best available medical knowledge, resources for employee support and City and County policies and rules which apply to the issues of AIDS, ARC and HIV infection in the work place.

The Commission promulgates this policy in order to provide advice and guidance in managing issues related to AIDS, ARC and HIV infection in the work place, thereby preventing discrimination in employment on this basis. While departments may develop their own policies in response to the specific needs of their employment setting, the Civil Service Commission advises that this and any sepcific department policies must comply with prevailing local, state and federal law which recognizes AIDS, ARC and HIV infection as protected handicaps.

Under the provisions of Civil Service Commission Rule 1.03F, applicants or employees of the City and County of San Francisco may file complaints alleging discrimination on the bases of AIDS, ARC and HIV infection. Information on how to file such complaints is available from the Civil Service Commission Equal Employment Opportunity Unit, 151 City Hall, 554-4736.

The Human Rights Commission designates the AIDS/ARC unit as the Commission's resource to which employees should direct any questions or requests for assistance on matters addressed in this policy.

January 13, 1989

HUMAN RIGHTS COMMISSION

Larry Martin
Chair, Human Rights Commission

Frank Anderson
Interim Director

NN:ad
[Norm]ibma

Attachment #2

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

January 13, 1989

Mr. George Fujioka, Chair
Contra Costa County Human Relations
  Commission
651 Pine Street, Room 103
Martinez, CA 94553

Re: The SHAPE Campaign

Dear Mr. Fujioka:

It has come to the attention of the San Francisco Human Rights Commission, through its Lesbian/Gay Advisory Committee, that the California Coalition for Traditional Values (CCTV) has mounted a statewide viscious, homophobic campaign called Stop Homosexual Advocacy in Public Education (SHAPE) and has selected Contra Costa County as a target area for the campaign. We have received literature put out by the CCTV that speaks of "open warfare with the Gay and Lesbian Community." We are very concerned that this hateful campaign is being waged, and we are alarmed at the death threats and other examples of hate being directed at Contra Costa County's Lesbian/Gay Community and its supporters.

We would like to express to you our astonishment and outrage at this dangerous, hostile campaign and its attempt to seriously undermine the human rights of citizens and the efforts of educators to end bigotry in California public schools. Since there is an epidemic of violence against Lesbians and Gay men, often by young people, it is of paramount importance that students are helped to understand and fight against all forms of bigotry, including homophobia. The environment for Gay men and Lesbians, including students, is often one of intolerance and violence. Gay and Lesbian youth are threatened quite often by homophobic students, and they are given little counseling and support for coming to terms with their feelings and for dealing with the difficulties of living in a hostile society.

We are very encouraged by programs such as Project 10 in Los Angeles and Community United Against Violence's Speakers Bureau in San Francisco which are attempting to foster communication concerning homophobia in the schools, and to provide counseling for Lesbian and Gay students. The support of the California Teachers Association and the National Education Association is very gratifying. Without these programs, Gay and Lesbian youth face isolation and confusion, which contribute to an alarmingly high rate of suicide among them. These programs are also crucial in preventing

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

Attachment #3

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

January 17, 1989

Mr. Adrian Isabelle, President
California Association of
Human Rights Organizations
P.O. Box 4046
Richmond, CA 94804

Dear Mr. Isabelle:

We would like to alert you to the problem of a new statewide campaign called "Stop Homosexual Advocacy in Public Education (SHAPE)" currently being waged by the California Coalition for Traditional Values. Based upon our research and evaluation, it appears that the Coalition is a homophobic group. They are lobbying and organizing statewide against education that provides an impartial view of the concept of homosexuality and/or which addresses it as a viable lifestyle. The Lesbian/Gay Advisory Committee of the San Francisco Human Rights Commission brought this important issue to our attention so that we could act to counter the prejudice and misinformation perpetrated by SHAPE.

SHAPE has targeted such model programs as Project 10 in Los Angeles (a counseling program for Gay and Lesbian high school students), and the Speakers Bureau of Community United Against Violence in San Francisco (which sends Gay and Lesbian speakers into public schools to discuss issues with students). Contra Costa County is currently a target for organizing the SHAPE campaign.

As the State's coalition of human rights organizations, we urge you to inform your membership about SHAPE and the Coalition for Traditional Values, ask them to work against SHAPE in their areas, and as an organization mount a concerted effort to counter SHAPE's program of homophobia.

Informational materials are enclosed. Please call on our staff person Larry Brinkin for assistance and information and let us know what your plans are regarding SHAPE. Thank you for your cooperation and good work in fighting prejudice and discrimination.

Sincerely,

Larry Martin
Chairperson

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Attachments
(LB/Ltr1)IBMA

415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

violence against Lesbians and Gay men by educating young people against bigotry. These are the kinds of programs that the SHAPE campaign wants to eliminate or prevent in San Francisco, Contra Costa County, Los Angeles, and throughout the State.

The SHAPE Campaign has created what we see as a "human rights emergency" in California and it appears that Contra Costa County is the CCTV's first battleground.

Many Contra Costa County residents work and/or relax in San Francisco. Because of our belief in freedom of sexual orientation and the negative impact of SHAPE in Contra Costa County on San Francisco County and California, we are asking the California Association of Human Rights Organizations to inform all human rights organizations of this organized campaign.

Please be assured of our support as you continue investigating this concern and take a principled stand in Contra Costa County against the visciousness of the SHAPE campaign.

Sincerely,

Larry Martin
Chairperson

LM:LB:ad
[Larry l]ibma

cc: City of Concord Human Relations Commission
Honorable Collen Coll, Mayor of Concord
Contra Costa County Board of Supervisors
San Francisco Board of Supervisors
Honorable Art Agnos, Mayor of San Francisco
Honorable Phil Isenberg, State Assembly
Honorable Dan Boatright, State Assembly
Honorable George Miller, U.S. Congress
Robert Birle, Bay Area Network of Gay and Lesbian Educators

City and County of San Francisco

Human Rights Commission
Office of Minority/Woman Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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AGENDA

Thursday, January 26, 1989
Department of Public Health
101 Grove Street, Room 300 (third floor)
TIME: 9:00 A.M.

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeting of January 12, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Rosemaire Fernandez, Chairperson

a) Committee Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

a) Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

a) Housing Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

a) Committee Report

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

a) Status Report on MBE/WBE/LBE Ordinance: Mara Rosales, Deputy City Attorney.

SOCIAL ISSUES/POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

a) Committee Report

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

a) Committee Report

8. New Matters

(continue)

9. Calendar Matters

10. Remarks from the Audience

11. Adjournment

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, January 26, 1989

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NEXT MEETING

DATE: Thursday, February 9, 1989
TIME: 9:00 AM
PLACE: Department of Public Health
101 Grove Street, Room 300 (Third Floor)

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, Leonard Graff, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), Isadore Pivnick, and Father Peter Sammon.

Excused: Frankie Gillette and May Jaber

Staff

Frank Anderson (Interim Director), Pauline Anderson, Larry Brinkin, James Fields, Bayard Fong, Don Hesse, Veronica Ng, Norm Nickens, Richard Norton, Gail P. Roberts, Carmen Smith, Blanca Torres, Pansy Ponzio Waller, Gary Wong, and Vicky Zimpel.

Guests:

Anne Cervantes, AIA MRC, John Moses, San Francisco Independent, Mara Rosales, Deputy City Attorney, and Panetta Scott, COSW staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The Minutes of the meeting of January 12, 1989 were approved as mailed.

COMMUNICATIONS

To Gail P, Roberts, Coordinator, from Barbara Kirkwood, Assistant Campaign Coordinator, Combined Charities Fundraising Campaign, a letter received January 12, 1989, relating that $2,082 had been received from the HRC, with 32 employees participating. Ms. Roberts was notified that she was one of the seven departmental coordinators, tops in one of several categories, who has been invited to a luncheon with the Mayor on January 30, 1989.

To Larry Brinkin, Sexual Orientation Discrimination Representative, from the Honorable David Roberti, President pro Tempore, California State Senate, a letter received January 12, 1989, conveying congratulations on his appointment and expressing appreciation for the frequent mailings about the activities and accomplishments of the Human Rights Commission.

To All Boards and Commissions from City Attorney Louise H. Renne and Deputy City Attorney Burk E. Delventhal, a memorandum received January 17, 1989, regarding the lack of a quorum at meetings of legislative bodies, including where a quorum fails to attend a scheduled meeting or a body loses its quorum before the meeting is adjourned. The only official actions that may be taken were enumerated.

To City Attorney Louise H. Renne and Deputies Burk E. Delventhal and John E. Morris from Frank Anderson, Acting Director, a memorandum dated January 18, 1989, indicating that family relationships are not covered under the legislation which HRC administers and that the HRC has been supportive of the general concept of Domestic Partnership.

A copy of a January 19, 1989 San Francisco Chronicle newspaper column Open Forum by Kevin Williams, Contract Compliance Officer, entitled "Why Reject King's Dream?" comparing the civil rights progress of Jackson, Mississippi to San Francisco.

To Frank Anderson from Keith W. Grand, Risk Manager, a memorandum received January 19, 1989, noting that CAL/OSHA requires that the summary of occupational injuries and illness be posted throughout February and requesting data as to the number of employees and hours worked.

To All Department Heads from Carol Wilkins, Deputy Mayor for Finance, a memorandum received January 19, 1989, explaining the process for preparing 1989-90 budgets based on each department's "budget planning estimates".

To The Grant Building Manager from Frank Anderson, Interim Director, a letter dated January 19, 1989, articulating health, safety and other issues, including the lack of handicapped-accessible restroom facilities, affecting HRC tenancy at 1095 Market Street.

To HRC Commissioners and Staff from Frank Anderson, Interim Director, a memorandum dated January 20, 1989, requesting information as to meetings and special events.

To Frank Anderson, Acting Director, from Judy Johnston, Assistant Director, Data Processing, a letter received January 20, 1989, confirming the agreement reached to resolve the difficulties HRC experienced with ISD.

To Frank Anderson, Interim Director, from Don Kennedy, Real Estate Department, a memorandum received January 23, 1989, requesting that the amount of $600 for Real Estate Department services be included in the HRC's budget request for FY89-90.

To All Departments, Boards and Commissions from Keith W. Grand, Risk Manager, a memorandum received January 23, 1989, indicating that the HRC is one of 22 departments whose 1989-90 allocations for Workers' Compensation will be budgeted as a lump sum by the Retirement System.

From Lillian K. Sing, Presiding Judge, Municipal Court, to San Francisco Community Organizations, a letter received January 23, 1989, inviting representatives to attend a community-wide public forum "Access to Justice - The Role of Judges in Our Community" on Tuesday, March 14, 1989 from 7:30 PM to 9:30 PM in the Herbst Theatre.

To All appointing Officers, Departmental Personnel Officers, Employees and Employee Organization Representatives from John J. Walsh, General Manager, Personnel, rescheduling the special Civil Service Commission meeting to consider the Pay Equity Report for FY 89-90 from January 30, 1989 to January 31, 1989 at 2:00 PM in Room 282 City Hall.

A copy of a newspaper article in the Tuesday, January 24, 1989, edition of the San Franciso Examiner "Minority business effort periled" quoting Frank Anderson and describing reactions to the U.S. Supreme Court decision invalidating the Richmond, VA program to provide more business to minority-owned firms and the possible implications for San Francisco's MBE/WBE/LBE Program.

To HRC Commissioners and Staff from Frank Anderson, Interim Director, a memorandum dated January 25, 1989, listing activities on the February 1989 HRC Master Calendar.

From James D. Jefferson, President, San Francisco Black Chamber of Commerce, to 13 people including Frank Anderson, a memorandum received

January 25, 1989, announcing a meeting for Friday, January 27, 1989 in the City Attorney's Office at 2:30 PM to discuss the recent Supreme Court reversal in the City of Richmond v J.A. Croson Company decision and its implication for the San Francisco Ordinance.

CHAIRPERSON'S REPORT

There was no report by the Chairperson.

INTERIM DIRECTOR'S REPORT

Frank Anderson related that he would be attending meetings of each of the standing committees, having already attended the Employment Committee and the Youth and Education Committee meetings. Mr. Anderson observed that recently he has been very busy with the press seeking HRC reaction as to the potential impact of the U.S. Supreme Court decision in the City of Richmond v J.A. Croson Company on the San Franciso MBE/WBE/LBE Ordinance. We will assemble a packet of press clippings on media reaction to the Court decision. The Administrative Committee will be developing a specific strategy in response to the Court decision. Frank Anderson announced that the Economic Equity Coalition has called for a meeting in the City Attorney's Office on Friday, January 27, at 2:30 PM to explore the impact of this Court decision. Commissioners Fernandez and Martin and Interim Director Anderson will meet on January 26th with the Mayor's Office to discuss the Court decisions, among other issues.

CALENDAR MATTERS

Frank Anderson announced that a monthly calendar of Commission activities will be distributed. The February schedule is in the Correspondence folder. Commissioners are requested to call and leave information with the receptionist for activities to be included in the calendar.

STANDING COMMITTEES

ADMINISTRATIVE	Wednesday, February 1, 1989 4:30 PM HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, February 2, 1989 9:30 AM 1850 Mission Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, February 28, 1989 3:30 PM HRC Conference Room 509 1095 Market Street
LESBIAN/GAY ADVISORY	Tuesday, February 21, 1989 5:30 PM State Building Room 1200 350 McAllister Street
MBE/WBE/LBE COMMUNITY ADVISORY	To be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, February 28, 1989 9:00 AM HRC Conference Room 509 1095 Market Street
YOUTH AND EDUCATION	Thursday, February 16, 1989 3:30 PM Room 1200 350 McAllister Street

STANDING COMMITTEES

ADMINISTRATIVE

- Committee Report

Commissioner Fernandez related that they would be meeting with Deputy Mayor Claude Everhart today to discuss the appointment of an Executive Director, budget concerns, new office space, and the impact of the Court decision on San Francisco's MBE/WBE/LBE Ordinance. After discussion of alternatives, the next meeting of the Administrative Committee was calendared for 4:30 PM Wednesday, February 1, 1989. Commissioner Fernandez observed that the issue of the frequency of meetings would be discussed at that Administrative Committee meeting. Frank Anderson announced that the Human Services Committee of the Board of Supervisors will meet Thursday, February 2, 1989, at 2:00 PM. Discussion of the proposed extension of the MBE/WBE/LBE Ordinance is calendared.

EMPLOYMENT

- Committee Report

Commissioner Sammon, in the absence of Committee Chair Frankie Gillette, reported that the Employment Committee met January 19, 1989 at 1850 Mission. Interim Director Frank Anderson briefed the Committee on the Conflict of Interest Opinion and compliance with Section 504 of the Rehabilitation Act of 1973. Discussion of the Hawkins Bill was postponed. The next meeting of the Committee will be Thursday, February 2, 1989 at 9:30 AM at 1850 Mission Street.

HOUSING AND URBAN DEVELOPMENT

- Housing Report

Commissioner Kai reported that the Committee had established the fourth Tuesday at 3:30 PM at the HRC offices for its regularly scheduled meeting.

Don Hesse, Fair Housing Coordinator, presented the Fair Housing Complaint Caseload Report. Mr. Hesse reported 23 housing discrimination complaints during December, 1988. Of these, 8 were on the basis of race, 7 were families with children, 2 were on the basis of AIDS, and 1 on other disability, two on age, and one each was sexual orientation, sex, and unspecified. The ethnic distribution was 9 Black, 1 Hispanic, no Asians, and 13 White. The sex breakdown was 15 male and 8 female. Further distribution was 3 disabled, 9 low income, and 5 elderly.

Mr. Hesse described the presentation on homelessness made at the 1/24/89 meeting of the Housing Committee. Three homeless or formerly homeless people, and the manager of a homeless family shelter made presentations. A subsequent meeting will feature other persons involved with the homeless including the Mayor's homeless coordinator. Commissioner Kai commended staff for finding speakers who provided real insight for the Commissioners. Subsequently, the Committee will look for solutions. Commissioner Kai encouraged other Commissioners to attend subsequent meetings of the Committee.

LESBIAN/GAY ADVISORY

- Committee Report

Commissioner Graff reported that the Committee has been busy recruiting new members. Twenty-eight resumes were received, 19 were interviewed, and 10 were selected. The overall composition of the Committee is now eight females and eight males. Nine of the members are people of color. Everyone was notified regarding the implications of the Conflict of Interest Opinion. Commissioner Graff explained that the major issue at the January 24th Committee meeting was domestic partnerships. Representatives of both Supervisor Britt's office and the Mayor's office attended the L/GAC meeting and were desirous of the HRC holding public hearings to explore all sides of the issue. In addition, Supervisor Britt and Mayor Agnos would be invited to sit with the Commissioners as ex-officio members. Commissioner Graff noted that a subcommittee has been established to help organize, publicize and run the hearings.

It was then
*** m/s/c that the Human Rights Commission hold public hearings on the issue of domestic partnerships on two consecutive nights by March 15, 1989 and that Mayor Art Agnos and Board President Supervisor Harry Britt be invited to participate in an ex-officio capacity.

Commissioner Martin requested that this motion be referred to the Administrative Committee for additional discussion. Commissioner Graff indicated that the Administrative Committee is to determine the format and exact date for the hearings. Commissioner Fernandez indicated that it was important to set a date and location in order that all Commissioners can attend.

Commissioner Martin thanked Commissioner Graff for the report.

MBE/WBE/LBE COMMUNITY ADVISORY

- Status Report on MBE/WBE/LBE Ordinance

In the absence of Commissioner Jaber, Interim Director Anderson introduced Deputy City Attorney Mara Rosales, observing that Ms. Rosales may be new to many of the Commissioners; nonetheless, she is a friend and a committed supporter of the HRC whose role is to "keep us out of trouble" and provide the Commission with legal advice.

Ms. Mara Rosales related that she will be meeting this afternoon with other attorneys to discuss the impact of the U.S. Supreme Court reversal of the Court of Appeals upholding of the Minority Business Enterprise Plan in the City of Richmond v J.A. Croson Company decision and its implication for HRC'S affirmative action activities. She also will be meeting with the co-counsels who joined with the City of San Francisco in the Court suit, now before the U.S. Ninth Circuit Court for reconsideration, brought by the Associated General Contractors (AGC) of Northern California challenging San Francisco's MBE/WBE/LBE Ordinance. Ms. Rosales observed that the issue of affirmative action in public contracting is complex and the potential impact of the U.S. Supreme Court decision in the Richmond, VA case on the San Franciso Ordinance is not yet known. Giving the background of the AGC suit, Mara Rosales explained that the Ninth Circuit had ruled in favor of AGC in March of 1987. In April, 1987, the City of San Francisco requested reconsideration which kept the decision from becoming final and permitted the City to continue implementing the Ordinance. In July of 1988, AGC requested an injunction to stop implementation and to permit the decision to take effect. The Court normally responds within four weeks to requests for injunction. Ms. Rosales pointed out the significant difference between the Richmond, VA program to provide more business to minority-owned firms by guaranteeing 30% to MBE subcontractors on City construction projects and provisions in San Francisco's MBE/WBE/LBE Ordinance which provide a competitive edge by granting a five percent bid preference to MBEs/WBEs or LBEs and a ten percent preference to MBEs/WBEs which are also LBEs. There are no guarantees in San Francisco's very flexible program.

Deputy City Attorney Rosales explained the "Sunset Clause" provision in the MBE/WBE/LBE Ordinance which causes the Ordinance to expire in May of 1989 unless a process is followed by which the Board of Supervisors can extend it for another three years. Thursday, February 2, 1989, the first hearing by the Human Services Committee of the Board of Supervisors is scheduled. Draft legislation to extend the Ordinance will be presented at the March 2nd meeting of this Committee. Proposed legislation must leave the Committee in time for the first and second readings by the Board of Supervisors the first two weeks of April. Legislation must be signed by the Mayor by April 11, 1989. Following the 30 day waiting period, the extended Ordinance will take effect May 12, 1989, the Ordinance having expired May 11, 1989.

Commissioner Fernandez inquired if there would be an analysis of potential liability by the City from contractors not being awarded contracts because of the application of the bid preference. Ms. Rosales responded that some kind of analysis would be prepared. Mara Rosales related that there had been two other lawsuits in federal court involving the City of San Francisco and the Ordinance. One was a challenge to the Public Utilities Commission having "set aside" a contract for bidding only by MBEs, in accordance with the Set Aside provisions of the Ordinance. There is no action yet on this suit. The second suit was brought by Homer J. Olsen, a contractor who is a member of the AGC. The complainant agreed to the dismissal with prejudice of this lawsuit.

Interim Director Anderson, noting that HRC has been implementing a very successful subcontracting program since prior to the enactment of the Ordinance, questioned the impact of the U.S. Supreme Court decision on this program. Mara Rosales responded that there will probably be an effect, but would know more later.

SOCIAL ISSUES/POLICE LIAISON

- Committee Report

Commissioner Sammon reported that the Committee met January 24th, at which time the history and purpose of the Committee was discussed. It was agreed to send letters to past members of the Committee thanking them for their efforts, announcing the formation of a new committee of 12 or so members interested in a variety of issues, and requesting nominations. The Committee is particularly desirous of having representatives from the San Francisco Police Department's Office of Citizens Complaints and from Community Boards. At the next meeting of the Committee, membership and the prioritizing of issues will be discussed.

YOUTH AND EDUCATION

- Committee Report

Commissioner Pivnick called upon Committee Staffer James Fields, who related that the Committee met January 19, 1989 and discussed further agendas and priorities. Interim Director Anderson was in attendance. Mr. Fields noted that the Committee was desirous of an orientation and wished to interrelate with other commissions such as the Juvenile Justice Commission. Commissioner Pivnick, noting that a lively group of ten people including two Commissioners was in attendance, related that the Conflict of Interest Opinion and compliance with Section 504 of the Rehabilitation Act of 1973 were discussed. The Committee expressed interest in networking with the other standing committees. Commissioner Pivnick stated that the Committee will set goals and priorities at its next meeting.

NEW MATTERS

There were no new matters.

REMARKS FROM THE AUDIENCE

Commissioner Lockhart, introducing herself as Vice Chair of the Social Issues/Police Liaison Committee and a former employee of the Department of Public Health, expressed pleasure at the three steps taken by DPH at its 101 Grove Street offices to accommodate the wheelchair bound. These are the designating of four parking spaces in front of the building for the disabled, putting an access ramp in place, and providing instructions at the front entrance, using the term "mobility impaired" rather than "handicapped."

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin.

Respectfully submitted,

Frank V. Anderson
Interim Director
via
Gail P. Roberts

FVA:GPR:se:ad
[HRC/Min]CORR3

Commissioner Fernandez inquired if there would be an analysis of potential liability by the City from contractors not being awarded contracts because of the application of the bid preference. Ms. Rosales responded that some kind of analysis would be prepared. Mara Rosales related that there had been two other lawsuits in federal court involving the City of San Francisco and the Ordinance. One was a challenge to the Public Utilities Commission having "set aside" a contract for bidding only by MBEs, in accordance with the Set Aside provisions of the Ordinance.

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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Thursday, February 9, 1989
Department of Public Health
101 Grove Street, Room 300 (Third Floor)
Time: 9:00 A.M.

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeting of January 26, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

a) Adoption of City and County of San Francisco Minority/Women/Local Business Enterprise Contracting Participation Report FY1986-1987 and FY 1987-1988: Pansy Ponzio Waller.

b) Designation of Public Hearing on Domestic Partnership, Marital Status and Extended Family benefits.

c) Committee Report.

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

a) Committee Report - Commissioner Gillette

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

No Committee report.

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

a) FY 1987-88 Report on Sexual Orientation and AIDS Discrimination

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

a) Review of pending litigation - Executive Session (see #11)
Mara Rosales, Deputy City Attorney.

SOCIAL ISSUES/POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

a) Committee Report.

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Commissioner Fernandez inquired if there would be an analysis of potential liability by the City from contractors not being awarded contracts because of the application of the bid preference. Ms. Rosales responded that some kind of analysis would be prepared. Mara Rosales related that there had been two other lawsuits in federal court involving the City of San Francisco and the Ordinance. One was a challenge to the Public Utilities Commission having "set aside" a contract for bidding only by MBEs, in accordance with the Set Aside provisions of the Ordinance.

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

a) Committee Report.

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Executive Session: Review of Pending Litigation: Deputy City Attorney Mara Rosales.

12. Adjournment.

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, February 9, 1989

NEXT MEETING

DATE: Thursday, February 23, 1989
TIME: 9 AM
PLACE: Department of Public Health
101 Grove Street, Room 300 (Third Floor)

1. Roll Call

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, Leonard Graff, May Jaber, Karen Kai, Lucile Lockhart, Lawrence B. Martin (presiding), Isadore Pivnick, Father Peter Sammon.

Staff:

Frank Anderson (Interim Director), Larry Brinkin, Anh Dao, Sadako Ekusa, James Fields, Bayard Fong, Zula Jones, Veronica Ng, Norm Nickens, Richard Norton, Clemente N. Obregon, Mary Gin Starkweather, David Treanor, Pansy Ponzio Waller, Jackie Winnow, Gary Wong.

Guests: Daniel Cota, Dignity; Wayne April, Dignity; Louis Lusietto.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Minutes

It was m/s/c that the minutes be adopted as written.

4. Communications

To Heads of All Departments from John L. Taylor, Clerk of the Board, a memo dated January 19, 1989 regarding the filing of the Annual Statement of Economic Interests.

To HRC Commission and Staff from Frank Anderson, a memo dated January 27, 1989 detailing the Master Calendar through February 1989.

To Frank Anderson from Anthony G. Wagner, City Wide Campaign Coordinator a letter dated January 27, 1989 thanking Gail Roberts and HRC staff for contributions of $2,082 to the 1988 City Employees Combined Charities Fundraising Campaign.

To City Department Heads from D.W. Coffey, P.U.C., a memo dated January 27, 1989 regarding water conservation.

To Mr. Frank Anderson from Mr. Wayne April of Dignity/San Francisco a letter dated January 31, 1989 regarding the Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons from the Vatican.

To Mr. Frank Anderson, from Marianne Feinstein, Chief of Systems, Controller Office, a letter dated January 27, 1989 regarding improvement of the operation of the computer system.

To All Department Heads, Boards or Commissions from Samuel D. Yockey, Controller, a memo dated January 27, 1989 regarding the processing of Personal Services Contract Payments.

To All Department Heads and Commission Presidents from Mayor Art Agnos a memo dated February 1, 1989 regarding a meeting to discuss 1989-90 Budget Proposals.

To All Departments from City Attorney's Office a memo dated February 2, 1989 regarding implementation of Proposition 73 regarding mass mailings.

5 Report of the Chair

- Commissioner Martin related that a hearing was held on February 2, 1989 before the Human Resources Committee of the Board of Supervisors to present a report on the progress of MBE's and WBE's under Chapter 12D and discuss the extension of the Ordinance. He stated that a second hearing and more testimony is needed.

- Mr. Frank Anderson, Commissioner Martin and Commissioner Fernandez attended a special budget meeting called by Mayor Agnos. Mayor Agnos wants more participation by Commissioners in the budget process. The City is facing a $72 million deficit.

6. Director's Report

- Mr. Anderson reported on the hearings regarding the extension of Chapter 12D. Although the hearing was well attended, we didn't get the testimony necessary to support the program regarding intentional or alleged discrimination.

  Additional testimony will be heard on March 2, 1989 and draft legislation will be developed.

  Ms. Pansy Waller, Commissioner Martin and Mr. Anderson presented a formal report regarding City departments performance and the hearings held last summer gathering testimony from MBE's, WBE's and LBE's.

  Developments under the Supreme Court decision Croson vs. Richmond, Va. will be discussed in executive session at the end of this Commission meeting.

- A task force is being formed to collect data detailing participation of minorities and women in various industries.

- Mr. Anderson also reported on the current status of the HRC program after the Supreme Court decision to the African-American Agenda Council.

- Frank Anderson and Mara Rosales have been busy explaining HRC's status to different community groups.

- Mr. David Treanor, HRC Senior Management Assistant reported on the budget process for FY 89-90. He referred to a memo dated 1/18/89 from Carol Wilkins, Deputy Mayor for Finance to All Department Heads. The timeline detailed in the memo was discussed and by March 1st, the proposed HRC budgets with 5% and 10% cuts must be submitted to the Mayor's Office. The rest of the time-line is as follows:

  March 1 - 20: Budget review (line-item review and evaluation of augmentation/reduction options) by budget staff and Deputy Mayors, in consultation with departments.

  March 20 - 31: Staff briefings with Mayor

  April 1: Budget narrative description due to Mayor's office

early to mid April: Mayor will meet with department heads.
late April: Final decisions.
May: Budget Production and Printing
June 1: Mayor's Budget submitted to Board of Supervisors.

An organizational chart of the HRC staff was also provided to the Commissioners for their information.

- Mr. Anderson then introduced two new additions to the clerical staff of the HRC: Ms. Anh Dao and Ms. Sadako Ekusa.

- Mr. H. Leroy Cannon, the Deputy City Attorney who authored Chapter 12A passed away on January 29, 1989. It was m/s/c unanimously to pass a Resolution in his memory. The resolution was read in full by Mr. Anderson and is attached to these minutes.

The Director's report was then concluded.

7. Standing Committee Reports

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

a) Adoption of City and County of San Francisco Minority/Women/Local Business Enterprise Contracting Participation Report FY 1986/1987 and FY 1987-1988: Pansy Ponzio Waller.

Ms. Waller is the principal author of the report. Before beginning her presentation Ms. Waller distributed some changes to the report to the Commissioners.

Highlights of Ms. Waller's presentation are detailed below:

The Minority/Women/Local Business Enterprise Contracting Performance Report for FY 1986-1987 and 1987-1988 represents the collective efforts of many people involved in the contracting process for the City and County of San Francisco. This report is based primarily upon the compilation o data submitted by city departments to the Human Rights Commssion (HRC), without an independent audit or verification by the HRC to the authenticityof the data. The HRC has made an effort to accurately document the information submitted and correct inaccuracies whenever it was appropriate. However, there still may be errors that filtered through the process due to the large volume of data compiled in a manual mode, but hopefullyonly a few errors. The HRC has worked diligently to reduce the error probability to 2½% or less for this comprehensive report.

Acknowledgement and gratitude goes to the many people that contributed collectively to this report, including City departmental personnel, HRC staff, community groups, professional associations, HRC's M/W/LBE Community Advisory Committee and individuals. A special thank you goes to Mr. Grant Mickins (retired HRC Director).

- The purposes of this report is to comply with Section 12D, 14 (B) of this Ordinance which requires that the HRC submit an annual report to the Mayor, the Chief Administrative Officer and the Board of Supevisors on the progress of the City and County toward the utilization goals established by Section 12D.7, together with an identification of problems and specific recommendations for improving the City and County's performance.

- During FY 87-88, of the 29 awarding departments 18 indicated 30% MBE goal and 10% WBE goal in their MBE/WBE departmental plan. However, only seven met and/or exceeded to MBE goal: Airport - 77.6%, Human Rights Commission - 50.3%, Port - 31.5%, Public Utilities - 33.8%, Public Works 34%, Registrar of Voters - 41.5%, and Social Service - 28.2%.

- During FY 87-88, of the 18 indicated a 10% WBE goal, only five departments met or exceeded the goal: Permit Appeal - 85.3%, Port - 11.1%, Registrar of Voters - 31.8%, Sheriff - 45.9%, and Social Service - 11.7%.

- During FY 86-87, it is interesting to note that most departments indicated the 30/10% goal. However, there were a few departments indicating other goals: Board of Supervisors - 15/4%, Office of the Chief Administrative Officer - 24/13%, Civil Service - 15/5%, Mayor's Office - 10/35%, Port - 13/2% and War Memorial - 27/5.2%.

- During this reporting period, the Human Rights Commission certified 762 MBE firms and 391 WBE firms.

- The Purchasing Department was unable to report to the HRC the Term Purchase Agreements (TPAs). The TPA information was not available for this report due to massive numbers and the department's inability to computerize the data. It should be noted however, that HRC in calculating the figures for the MBE/WBE goals include only those TPAs where departments had the discretion to select the vendor.

- During DFY 86-87 there were 14 departments and in FY 87-88 there were 18 departments reporting contracts exempt from the Ordinance for the following reasons: Term Purchase Agreements where Purchasing Department selected vendor, purchase orders, emergency use of facilities maintenance funds, contracts with non profift waivers and State/Federal exempt contracts.

  Ms. Waller wished to thank Mr. Clement Obregon, Contract Compliance Officer, for his contribution to the "Waivers" section fo the report and Ms. Pauline Anderson, Supervisor of the Clerical Staff for her assistance in the production of the report.

- It was m/s/c with Commissioner Gillette abstaining to adopt the report. Commissioner Graff moved for adoption and Commissioner Bermudez seconded the motion.

  Mr. Anderson wished to thank Ms. Waller and former Director Grant Mickin for their collective effort in the production of this report.

  Commissioner Fernandez also wished to recognize and thank Ms. Waller for her efforts.

b) Designation of Public Hearing on Domestic Partnership, Marital Status and Extended Family Policies.

This hearings will be held:

Date: Wednesday, March 8, 1989
Time: 6 p.m.
Place: State Building
350 McAllister Street, Room 1194
San Francisco, California 94102

Notices will be mailed next week.

If anyone knows of any interested groups give information to Jackie Winnow at HRC Offices.

The regular HRC meeting will be held at 4 p.m. prior to the hearings.

c) Committee Report

Frank Anderson announced that Mary Gin Starkweather is HRC's Section 504 Compliance Coordinator while Norm Nickens is AIDS/ARC Coordinator. Copies of a letter to the building manager detailing health and safety concerns were distributed. Copies of a letter from Dignity to the Interim Director were distributed; however, this issue is not within HRC's jurisdiction.

Commissioners Fernandez and Martin and Interim Director Anderson met with Deputy Mayor Claude Everhart, January 26th to discuss peronnel, budget and the MBE/WBE Ordinance. The Mayor's Office will issue a letter which HRC can use to negotiate with the landlord at 25 Van Ness Avenue and the Real Estate Department. Concern was expressed that there need to be greater communication between the Mayor's Office and the HRC.

Under the FY 89-90 Budget, Frank Anderson reported that a "wish list" of budget issues were prepared and distributed to Commissioners. The Mayor met with department heads on January 31st and with Commission Chairs and Vice-Chairs and department heads on February 6th to discuss the budget.

Frank Anderson discussed the U.S. Supreme Court decision regarding the M/W/LBE Ordinance. Numerous meetings are being held with the City Attorney's Office and representatives of departments which have highest amount of contracting to discuss the implication of the Court decision and collect necessary data to support San Francisco's MBE/WBE/LBE Ordinance. The subcontracting program administered by the HRC will probably have to be suspended because no public hearings were held and data was not collected prior to the program going into effect. The ordinance to replace the existing MBE/WBE/LBE Ordinance, will be crafted to meet the implications of the U.S. Supreme Court decision.

Regarding re-scheduling of meetings, attendance and punctuality at meetings, Frank Anderson said that a Master Calendar of meetings is being distributed monthly.

Commissioners who are members of a committee are seen as back up to ensure that there is at least one Commissioner present for all committee meetings. Chairs are reminded that goals and prorities for their committees are to be submitted as soon as possible. Commissioners are to receive copies of all committee minutes.

A quorum must be present at all Committee and Commission meetings. A quorum is a majority of serving members.

The Administrative Committee report then concluded.

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

a) Committee Report - Commissioner Gillette

Commissioner Gillette reported that the Employment Committee is currently updating its membership and has developed a generic form for potential members to fill out. They are also working on their mission and goals statement.

The Employment Committee report was concluded.

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kay, Chairperson

No Committee report.

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

- Ms. Jackie Winnow elaborated on the Domestic Partnership Hearings. Mayor Agnos and several other noted speakers will be presenting an introduction and overview of the history of domestic partnership. The hearings will be interpreted for the deaf.

a) FY 1987-88 Report on Sexual Orientation and AIDS Discrimination Mr. Norm Nickens, AIDS Discrimination Representative presented a comprehensive report prepared by Mr. Larry Brinkin, Sexual Orientation Representative and himself.

Following is a summary of the report:

In FY 1987-88 the Lesbian/Gay and AIDS Unit at the Human Rights Commission investigated a total of 126 complaints of discrimination. This included 70 complaints on the basis of sexual orientation and 56 complaints on the basis of AIDS or related conditions. In addition, the number of investigated complaints does not reflect requests for information, technical assistance, or matters outside the jurisdiction of the Commission. Often reported instances of discrimination received by the Commission were from outside the City and County of San Francisco. This highlights the need for expanded anti-discrimination protections at the state and federal levels. Some reported instances of discrimination were also outside the subject matter jurisdiction of the Commission, e.g. complaints involving the military, immigration or insurance. The actual number of reported instances of discrimination is approximately three to four times the number of investigated complaints.

The figures for investigated complaints by the Lesbian/Gay and AIDS Unit do not reflect the approximately 15 complaints of sexual orientation and 25 complaints of AIDS discrimination investigated by the Commission's Fair Housing Unit; these figures are reported in the FY 1987-88 Report of the Fair Housing Unit. Many of the AIDS related complaints handled by the Fair Housing Unit involved individuals who had suffered a drop in income as a result of their illness. This is reflected in the increase in individuals experiencing difficulty in locating affordable and accessible housing. Included are individuals who have been refused rental because their source of income is from government benefits, including Social Security, and individuals experiencing difficulty in locating housing or residential programs with access to support services, including individuals with AIDS-related neurological impairments, access to substance abuse counseling services and other counseling services, and access to practical support services. The Fair Housing Unit also observed an increase in complaints involving the refusal of Singal Room Occupancy hotels (SRO's) to allow in support workers, including individuals delivering food, public health nurses, practical support volunteers.

The total number of complaints investigated by the Lesbian/Gay and AIDS Unit in FY 1987-88 declined slightly over 1986-87. This reflects a continuing decline in the number of reported AIDS discrimination complaints in the area of employment. This also reflects the success of the Unit in resolving reported instances of discrimination through mediation and technical assistance.

While the number of investigated complaints has declined, discrimination on the basis of sexual orientation and AIDS remains a significant problem in San Francisco. Specific areas of concern identified in FY 1987-88 include: lack of housing resources and support services for persons with AIDS, particularly women, minorities, and neurological impairments; a reported increase in acts of violence directed against persons who are Lesbian/Gay or perceived to have AIDS; and, the need for expanded anti-discrimination protections at the state and federal levels. Finally, the Commission has noted a lack of reliable and accurate statistics on AIDS and sexual orientation discrimination in other jurisdictions.

It was then m/s/c that the Report be adopted.

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

a) Review of pending litigation - Executive Session (see #11) Mara Rosales, Deputy City Attorney.

SOCIAL ISSUES/POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

a) Committee Report.

Commissioner Sammon announced that the Committee is currently preparing its Statement of Goals and Objectives.

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

a) Committee Report.

Commissioner Pivnick wished to thank Mr. James James, staff to the Committee for his diligence.

8. New Matters

Mr. Anderson announced that in the Commission Correspondence there is a memo concerning the filing of the Annual Statement of Economic Interests.

All Commissioners are required to file their statements by April 1, 1989. There is a $10.00/day fine for late filing.

Calendar Matters

The next Commission meeting will be held:

Date: Thursday, February 23, 1989
Time: 9:00 A.M.
Place: 101 Grove St. Room 300
San Francisco, CA

STANDING COMMITTEES

ADMINISTRATIVE	Wednesday, February 15, 1989 4:00 P.M. HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, March 2, 1989 9:30 A.M. 1850 Mission Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, February 28, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street

LESBIAN/GAY ADVISORY	Tuesday, February 21, 1989 5:30 P.M. State Building Room 1200 350 McAllister Street
MBE/WBE/LBE COMMUNITY ADVISORY	To be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, February 28, 1989 9:00 A.M. HRC Conference Room 509 1095 Market Street
YOUTH AND EDUCATION	Thursday, February 16, 1989 3:30 P.M. Room 1200 350 McAllister Street

Remarks from the audience

On January 31, 1989, Mr. Wayne April of Dignity, San Francisco, a group of Gay & Lesbian Catholics wrote a letter to Mr. Frank Anderson enclosing letters to Mayor Agnos and a copy of the "Letter to the Bishops of the Catholic Church on the Pastroal Care of Homosexual Persons" from the Vatican.

Commissioner Martin stated that this was not an appropriate matter to be brought before the Commission but was allowing Dignity to have 2 speakers limited to 4 minutes each.

Mr. Daniel Cota of Dignity was the first to speak.

He quoted Section 10 of the Vatican letter as follows:

> "It is deplorable that homosexual persons have been and are the object of violent malice in speech or in action. Such treatment deserves condemnation from the Church's pastors wherever it occurs. it reveals a kind of disregard for others which endangers the most fundamental principles of a healthy society. The intrinsic dignity of each person must always be respected in word, in action and in law. But the proper reaction to crimes committed against homosexual persons should not be to claim that the homosexual condition is not disordered. When such a claim is made and when homosexual activity is consequently condoned, or when civil legislation is introduced to protect behaviour to which no one has any conceivable right, neither the Church nor society at large should be surprised when other distorted notions and practices gain grouns, and irrational and violent reactions increase."

In brief, Mr. Cota's presentation covered the following concerns:

- The letter is an act of the "teaching Church" and is therefore the Church's offical policy.
- Archbishop of the Archdiocese of San Francisco has endorsed the letter.
- The Vatican letter is a in direct opposition to the City Charter which prohibits discrimination on the basis of ... sexual orientation.
- The Vatican letter is a direct attack on the civil liberties of Gay & Lesbian persons.
- The Catholic Church made clear its position on Gays and Lesbians when Dignity was expelled from services at St. Boniface.
- Dignity wishes to protest the appointment of Father Sammon as a Human Rights Commissioner.

Mr. Wayne April also of Dignity reiterated much of what Mr. Cota stated adding that:

- Dignity is concerned about the up-coming hearings and pending legislation on domestic partnership.
- Dignity has no personal judge against Commissioner Sammon. They have heard only good things about him.
- However, their concern was Father Sammon's allegiance to the Roman Catholic Church.
- He then asked Commissioner Sammon if he felt he could vote his conscience or would he be bound by church and civil obligations?

Commissioner Martin then told Commissioner Sammon not to answer the question and stated to Mr. April that the matter was not appropriate to bring before the Commission, was not a matter for dialogue and that Dignity's concerns should be directed to the Mayor's Office since he is in charge of Commission appointments.

Mr. Louis Lusietto then rose to speak.

He requested that the Commission entertain a motion that "no member of the Commission be associated with any group that discriminates against any person."

The Commission did not entertain the matter.

Adjournment

The meeting was adjourned at 12N and went into executive seesion. See item 11.

11. Executive Session: Review of Pending Litigation: Deputy City Attorney Mara Rosales.

Respectfully submitted,

Frank V. Anderson
Interim Director
via
Mary Gin Starkweather

FA:MGS:np:bct:ad

[HRC Min/5/26/88]CORR3

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION

IN MEMORY OF AND IN TRIBUJTE TO

H. LEROY CANNON, ESQ.

WHEREAS, H. LeRoy Cannon, who died January 29, 1989, was a strong advocate of affirmative action in employment, education, fair housing, and equal treatment for all;

WHEREAS, he, as Deputy City Attorney, authored Chapter 12A of the San Francisco Administrative Code, establishing the Human Rights Commission;

WHEREAS, H. LeRoy Cannon, as Deputy City Attorney and Legal Advisor to the San Francisco Board of Education, worked tirelessly with the Human Rights Commission and its staff to promote affirmative action and equal opportunity;

NOW, THEREFORE BE IT RESOLVED that the Human Rights Commission express its gratitude and admiration for H. LeRoy Cannon, Esq's work on behalf of affirmative action and equal opportunity and convey this tribute to his family in honor or his achievements and in his memory.

Resolution #1-89
Adopted by the HRC 2/9/89

[Lts]KP2-57/pa

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

AGENDA

DATE: Thursday, February 23, 1989
PLACE: Department of Publice Health
101 Grove Street, Room 300 (Third Floor)
TIME: 9:00 A.M.

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1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeting of February 9, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

a) HRC FY 89-90 Proposed Budget.
b) Adopt revision of Construction and Architecture/Engineering Affirmative Action Programs and other related matters including revision of M/W/LBE certification program.

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

a) Employment Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

No Committee report.

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

a) Committee Report
b) Public Hearings on Domestic Partnerships

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

a) See Administrative Committee #b.

SOCIAL ISSUES/POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

No Committee report.

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

a) Committee Report.

8. New Matters
9. Calendar Matters
10. Remarks from the Audience.
11. Adjournment.

FA:np

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, February 23, 1989

NEXT MEETING

DATE: Wednesday, March 8, 1989
TIME: 4 P.M.
PLACE: 350 McAllister Street, Rm. 1159

ROLL CALL

Commissioners

Present:
Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez (presiding), Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Isadore Pivnick, and Peter Sammon.

Excused: Lawrence B. Martin

Staff

Present: Frank Anderson (Interim Director), James Fields, Don Hesse, Richard Norton, David Treanor, Jackie Winnow, Vicky Zimpel.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

It was
*** m/s/c that the Minutes of the meeting of February 9, 1989 be approved with the following corrections: (corrections underlined)

Pg. 4. - It was m/s/c with Commissioner Gillette abstaining to adopt the report to avoid any conflict of interest. Commissioner Graff moved for adoption and Commissioner Bermudez seconded the motion.

Pg. 7. - Commissioner Pivnick wished to thank Mr. James Fields, staff to the Committee for his diligence.

Pg. 9. - Adjournment changed to follow Executive Session.
The meeting was recessed and went into executive session. See item 12

The resolution in memory of and in tribute to H. LeRoy Cannon, Esq., which was not included in commissioners mailed packets, was passed out at the meeting.

COMMUNICATIONS

To DIGNITY from Enola D. Maxwell, Executive Director, Potrero Hill Neighborhood House, a letter dated February 15, 1989, supporting Father Peter Sammon's appointment to the Human Rights Commission; copy to HRC.

To City Department Heads from Clare M. Murphy, General Manager Employees' Retirement System, a memo dated February 16, 1989 regarding City and County and Employee's Retirement Rates of Contributions for Fiscal Year 1989-90.

To Anthony DeLucchi, Director of Property, Real Estate Department from Claude T. Everhart, Deputy Mayor - Governmental Operations, a letter dated February 15, 1989, requesting the assistance of helping in relocating the Commission's office. Copy to HRC.

To Claude T. Everhart, Deputy Mayor - Governmental Operations, from Anthony J. DeLucchi, Director of Property - Real Estate Department, a letter dated February 17, 1989, regarding the proposed relocation of the Human RIghts Commission's office - copy to HRC.

To Frank Anderson from Gail Berman, Building Manager of the Grant Building, a letter received February 14, 1989 responding to Anderson's January 19, 1989 letter regarding problems relating to the HRC's tenancy in the Grant Building.

To Human Rights Commission, from Coalition for Economic Equity a flyer announcing a public meeting on "How to help preserve our MBE/WBE/LBE Law", scheduled for Thursday, February 23, 1989; 5:30 p.m. - 7:30 p.m., Room 1194 - State Bldg., 350 McAllister Street, San Francisco.

CHAIRPERSON'S REPORT

No Report.

DIRECTOR'S REPORT

Frank Anderson reported on the following matters:

The HRC staff is gearing up for the public hearing on Domestic Partnership legislation scheduled for March 8, 1989. A staff report will be given later on in this meeting regarding this matter.

Major efforts are being undertaken by HRC staff to collect data for the extension of the MBE/WBE/LBE Ordinance. Staff has been busy revising HRC's contract compliance/affirmative action programs to meet the legal requirements of the Croson decision. A report will be given on this matter later on in this meeting.

Preparation of the HRC budget is underway. The baseline budget proposal is before the Commission today.

The Administrative Committee is scheduled to meet Wednesday, March 1, 1989 - 4 P.M.; HRC's Room 509. Orientation for the forthcoming public hearing and other matters will be discussed. Staff member Clemente Obregon has been hospitalized. Staff has been checking regularly with the hospital and his family. No visitors at this time. Also, Commissioner Lawrence Martin is also ill and has been hospitalized. However, Commissioner Martin is now resting at home. We wish them both a speedy recovery.

STANDING COMMITTEES

ADMINISTRATIVE

A. HRC FY 89-90 Proposed Budget

Commissioner Rosemarie Fernandez introduced the item and requested Frank Anderson to present it due to her absence from the Administrative Committee meeting.

Reviewing a memorandum dated February 16, 1989 from David Treanor, HRC office manager to Frank Anderson, Interim Director, regarding FY 1989-90 Budget Review. David Treanor summarized the task and plan for budget reduction required by the Mayor's office by March 1, 1989. The reductions of 5% and 10% will require savings of $67,908 and $135,817 respectively. After discussion and clarification by questions asked by Commissioners Graff Gillette and Fernandez, it was resolved that at the 5% level reduction, an elimination of a professional service contract for $15,000 with the S.F. Intergroup Clearinghouse, Inc. and leaving unfilled a vacant 2991 Coordinator position. At the 10% reduction level, the additional reduction of the vacant #2986 Director, HRC and #2992 temporary Contract Compliance. Commissioner Fernandez stated her concerns about the proposal to delete the HRC Director's position in this submittal. It was explained that this was being proposed by Commissioners, in order to obtain immediate action by the Mayor, in filling the position of Executive Director of the Human Rights Commission.

B. Revision of Construction and Architecture/Engineering Affirmative Action Programs and other related matters including revision of M/W/LBE certification program.

Frank Anderson called upon Vicky Zimpel, Contract Compliance Coordinator to report on this matter. Ms. Zimpel reviewed the history of the program, starting in 1969. These programs were developed via public hearings and community/industry input the programs have been geared to both employment and contracting affirmative action. Traditionally, these were subcontracting programs that evolved into the subcontracting program and remains a vital and successful part of the overall program.

The enactment of the 1982 Minority/Women/Local Business Enterprise Program put into motion a formal structure, including certification, goals and procedures. The program established preference points for local, minority and women status for prime contractors. Due to the legal requirements of the Supreme Court decision in the Croson vs. Richmond, VA, the HRC staff has revised the programs to a small business program that is not race or gender conscious, upon the recommendation of the City Attorney.

The HRC program is recommended to be changed to a small business program, replacing the Minority/Women program. The goals of 30% minority and 10% women is being changed to a 30% small business goal. The certification program and its requirements is also being altered to encompass the small business program status. Ms. Zimpel stated her concerns about the impact these changes may have on the gains the city of San Francisco has made. She explained that this proposal is a temporary action to allow the continuation of the program until the new legislation is adopted.

It was m/s/c that the revision of the Human Rights Commission - Affirmative Action and Small Business Program. Commissioner Gillette abstained from voting to avoid any conflict of interest regarding this matter.

EMPLOYMENT

Commissioner Gillette reported that the Employment Committee has been working on increasing its membership and the development of its mission statement, regarding purpose, goals and priorities the next meeting is scheduled for March 2, 1989.

HOUSING AND URBAN DEVELOPMENT

Commissioner Kai announced the next committee meeting will be February 28, 1989: 3:30 P. M. at the State Building - Room 1159.

LESBIAN/GAY ADVISORY

Commissioner Graff reported that an orientation had been held for committee members.

Jackie Winnow, coordinator reported that plans were progressing for the public hearing, scheduled for March 8, 1989, State Bldg., 350 McAllister Street, Room 1159 on Domestic Partnerships. She reviewed the schedule for speakers and the format of the hearing. Invitations and flyers were being sent and distributed. The March 1st Administrative Committee will be an orientation for Commissioners participating in the public hearing. Mr. Larry Bush (Mayor's Office) and Ms. Jean Harris (Supv. Britt's Office) will be in attendance.

Commissioner Graff reported on the Mayor's recent meeting with leaders in the Lesbian/Gay Community regarding this matter. The Mayor is anxious to hear from various people on this subject.

MBE/WBE/LBE COMMITTEE

See Administrative Committee

SOCIAL ISSUES/POLICE LIAISON

Commissioner Sammon reported that the next meeting will be February 28, 1989. The Committee will be working on goals and membership.

YOUTH AND EDUCATION

Commissioner Pivnick called upon Mr. James Fields to make the Committee's report. Mr. Fields reported that the Committee was making progress establishing its goals and priorities among the many interests and concerns of its members. The next meeting was scheduled for March 16, 1989.

NEW MATTERS

No New Matters

CALENDAR MATTERS

Next meeting will be March 8, 1989 - 4:00 to 6:00 P.M. prior to public hearing at the State Building, Room 1194.

REMARKS FROM THE AUDIENCE

None

EXECUTIVE SESSION

Personnel Matters

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by vice-chairperson Commissioner Rosemarie Fernandez.

Respectfully submitted,

Frank V. Anderson
Interim Director

FVA:pa
[Minutes]MIN

M E M O R A N D U M

From the Office of the
HUMAN RIGHTS COMMISSION

1095 Market Street - #501
San Francisco 94103
558-4901

Date: February 24, 1989

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TO: HRC COMMISSIONERS

FROM: Lawrence B. Martin, Chair

SPECIAL HUMAN RIGHTS COMMISSION MEETING !!!

Date: Wednesday, March 1, 1989

Time: 4 P.M.

Place: 101 Grove Street, Room 300
(Third Floor)

AGENDA

1. Roll Call.
2. Special call for purpose of Commission taking action in appointment of new HRC Director.
3. Other matters which the Chair may deem appropriate.
4. Adjournment.

LBM:DT:pa
[memos]KP2-69

NEW MATTERS

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Special Meeting of Wednesday, March 1, 1989

Next Meeting

DATE: Wednesday, March 8, 1989
TIME: 4 P.M.
PLACE: State Building, Room 1194
350 McAllister Street

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Roll Call

Commissioners

Present: Adrian Bermudez Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, Leonard Graff, May Jaber, Karen Kai, Lucile Lockhart, Lawrence B. Martin (Presiding) Isadore Pivnick, and Father Peter Sammon

Staff: Larry Brinkin, James Fields, Bayard Fong, Don Hesse, Veronica Ng, Norm Nickens, Dick Norton, Eric Mar (Intern), David Treanor, Pansy Ponzio Waller, Jackie Winnow, Gary Wong, and Vicky Zimpel.

Guest: Peter M. Jamero

1. Selection of Director

The meeting was called to order by Commissioner Martin at 4:05 PM. This was a special meeting to consider the recommendation from the Search and Administrative Committees for selecting an Executive Director for the Human Rights Commission.

Commissioner Martin called on Commissioner Fernandez to present the report from the Administrative Committee. Commissioner Fernandez stated that the Administrative Committee met prior to this Commission meeting to receive the recommendation of the Mayor for the Executive Director's position at HRC. Commissioner Martin received a letter, dated March 1, 1989, from the Mayor's Office recommending a final candidate for the Director's position. Commissioner Martin gave a brief summary of the selection process. Many candidates were interviewed and the Search Committee sent a recommendation list of eight candidates to the Mayor. The Mayor reviewed the list and, after completing the interview process of the candidates, recommended a final candidate Peter M. Jamero. The Search Committee concurred with the Mayor's decision and recommended that the Administrative Committee approve Peter M. Jamero as Executive Director.

It was then

***m/s/c that the Human Rights Commission appoint Peter M. Jamero as Executive Director. Commissioner Martin congratulated the newly appointed HRC director.

Mr. Jamero gave a brief speech thanking the Commissioners and stated he is eager to work with them on a broad range of human rights issues.

2. OTHER MATTERS

A. Resolution Commending the Organization of Chinese Americans.

Commissioner Fernandez stated the Administrative Committee adopted a resolution commending the Organization of Chinese Americans (OCA) for sponsoring an AIDS Conference in San Francisco on March 11, 1989, for the Chinese Community in San Francisco. Commissioner Fernandez read part of the resolution which is attached to these minutes.

It was then

***m/s/c/ that the Human Rights Commission adopt a Resolution commending the Organization of Chinese Americans for sponsoring an AIDS Conference.

B. Recommended Cutbacks to HRC FY 89-90 Proposed Budget

Recommendations for reductions of 5% and 10% to HRC current budget level for FY 89-90 were approved by the Commission at its February 23, 1989 meeting. The 10% cutback by the Commission included not filling two vacancies, one of which was the Director's position. Because a Director has been appointed, one of the vacancies is no longer available. The Commission recommended to amend that portion of the recommended 10% cutback and to refer it back to the Committee.

It was then

***m/s/c that the Human Rights Commission amend the recommended 10% cutback to HRCs FY 89-90 Proposed Budget, and to refer it to the Administrative Committee for revised recommendation.

3. ADJOURNMENT

Meeting was adjourned at 4:35 PM by Commissioner Martin.

Respectfully submitted by

J. David Treanor
Acting Interim Director
via Gary Wong

JDT:GW:bct:ad:bclp
[HRC/Minl]CORR3

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION

WHEREAS, the Human Rights Commission is mandated by the City and County of San Francisco to monitor and enforce the civil and human rights of the residents of San Francisco;

WHEREAS, the Human Rights Commission is especially concerned about the actual and potential discrimination against persons with AIDS/ARC;

WHEREAS, public outreach and education continues to be one of the most effective means of preventing the spread of AIDS/ARC and of preventing discrimination against persons with AIDS/ARC;

WHEREAS, the number of Asian-Americans with AIDS in the United States is over 500, with over 100 cases reported in San Francisco;

WHEREAS, the increase in the number of Asian-Americans with AIDS/ARC is one of the fastest among racial and ethnic minorities with AIDS/ARC;

WHEREAS, the City of San Francisco has one of the largest populations of Asian-Americans in the United States;

WHEREAS, the Organization of Chinese Americans is a fifteen-year old non-profit, non-partisan national organization "embracing the hopes and aspirations of Chinese in the United States," with over 45 chapters, including four chapters in the San Francisco Bay Area, with over 8,000 members;

WHEREAS, the Organization of Chinese Americans is one of the first national Asian-American organizations to conduct outreach and education on AIDS in the Asian-American communities by sponsoring a series of four regional educational conferences on AIDS and featuring AIDS as a topic at its 1989 National Convention;

WHEREAS, the Organization of Chinese Americans is conducting its first regional conference, entitled "AIDS in the Chinese Community" here in San Francisco at Lone Mountain College on Saturday, March 11, 1989;

BE IT RESOLVED, that the Human Rights Commission welcomes the Organization of Chinese Americans at its conference on March 11, 1989, commends the Organization of Chinese Americans for its outreach and educational efforts to the Asian-American communities on AIDS and encourages the Organization of Chinese Americans to continue its efforts to educate and inform Asian-Americans about AIDS.

RESOLUTION #2-89
ADOPTED by the HRC 3/1/89

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
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AGENDA

Wednesday, March 8, 1989
State Building, Room 1194
350 McAllister Street
4:00 PM

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeeting of - None
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

No Committee Report.

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

a) Committee Report - Commissioner Gillette

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

a) Committee Report - Commissioner Graff

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

a) Committee Report - Commissioner Jaber

SOCIAL ISSUES/POLICE LIAISON: Commissioner Peter Sammon

a) Committee Report - Commissioner Peter Sammon

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

a) No Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

a) Committee Report - Commissioner Kai

8. New Matters
9. Calendar Matter
10. Remarks from the Audience
11. Adjournment

PJ:FA:bct
3/3/89

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Wednesday, March 8, 1989

NEXT MEETING

DATE: Thursday, March 23, 1989
TIME: 9 A.M.
PLACE: Room 300 (Auditorium), 101 Grove Street
Department of Public Health

Roll Call

Commissioners

Present: Adrian Bermudez Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (Presiding), Isadore Pivnick, and Father Peter Sammon.

Staff: Peter M. Jamero (Executive Director), James Fields, Don Hesse, Norm Nickens, Richard Norton, Gail P. Roberts, and David Treanor.

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The Minutes of the meetings of February 23, 1989 and March 1, 1989 were unavailable.

COMMUNICATIONS

A copy of a newspaper article in the San Francisco Chronicle "Filipino American Named to Head S.F. Rights Panel" reporting the selection of Peter M. Jamero as Mayor Art Agnos' top choice to fill the position of Executive Director of the Human Rights Commission.

To Gail P. Roberts, Coordinator, from Bob Smith, Health Commission Office, a letter dated February 9, 1989, explaining the clerical error which caused the HRC to locate its January 12, 1989 Commission meeting scheduled for 101 Grove to the War Memorial Building.

To Frank Anderson, Interim Director, from Lisa Hopper, Program Administrator, Intergroup Clearinghouse Inc., a letter received February 15, 1989, submitting a Draft Budget for 1989-90 and a Current Operating Budget for 1988-89 for the Intergroup Clearinghouse.

To Gary Wong, Contract Compliance Representative, from Scott A. Livingston of Dempsey, Bastrianelli, Brawn and Touhey, a letter received February 16, 1989, explaining his and Dr.Robert Jerrett's expertise to work with the HRC to reassess its MBE Program in light of the U.S. Supreme Court decision in the case of the City of Richmond, Va. v. J.A. Croson.

To the Human Rights Commission from Theo Jensen, San Francisco District Secretary, Associated General Contractors of California, a letter received February 21, 1989, requesting copies of two HRC MBE/WBE publications.

To Cynthia Goldstein, Attorney, National Gay Rights Advocates, from Lawrence B. Martin, Chair, a letter dated February 22, 1989, confirming her presenting testimony to the Public Hearings on Domestic Partnerships/Marital Status/Extended Family Policy on March 8, 1989.

To all plan holders from Rudolf Nothenberg, Chief Administrative Officer, a memorandum received February 24, 1989, explaining that the City and County of San Francisco will discontinue the implementation of the small minority and small women-owned business enterprise (MBE/WBE) sections of the Affirmative Action Programs subcontracting goals, pursuant to the U.S. Supreme Court decision in the case of the City of Richmond, VA v. J.A. Croson. However, there will be a Small Business Enterprise Program with a participation goal of 30% and bidders are encouraged to optimize the participation by minority and/or women-owned small business enterprises as subcontractors.

To HRC Commissioners and Staff, from Frank Anderson, Interim Director, a memorandum dated February 24, 1989, transmitting the Master Calendar for March, 1989.

From Ken Jones, Director, Volunteer Services Department, San Francisco AIDS Foundation, addressed "Greetings Friends", a letter received February 27, 1989, soliciting sponsors for its annual Volunteer Appreciation Picnic to be held in Golden Gate Park in May.

To all Department Heads from David Werdegar, M.D., M.Ph., Director of Pubic Health, a memorandum received February 28, 1989, announcing that the Department of Public Health has contracted with the San Francisco AIDS Foundation to provide services, such as speakers, related to Employee HIV/AIDS Education.

To Human Rights Commission Members and Staff, from Sarah Fairchild, International Relations Student Association, San Francisco State University, a letter received February 28, 1989 requesting HRC participation in Global Peace and Environmental Awareness Week May 1st - through May 6th, 1989.

To Commission Secretaries from Florence Stagner, Mayor's Office, a memorandum received February 28, 1989, requesting a list of HRC Commissioners, their work/home address and phone numbers, and their mailing address to be published in the City and County Directory. In addition, new procedures for certificates of appointment and photographs were detailed.

To Frank Anderson, from Thomas E. Thompson, San Francisco District Manager, Associated General Contractors of California, a letter by certified mail received March 1, 1989, requesting that written notices be received at least ten calendar days prior to public hearings or public discussions on a local, minority, or small, or disadvantaged business ordinance.

A flyer from the Coalition of Developmental Disabilities Organizations announcing the opening ceremonies of National Developmental Disabilities Awareness Month 12 Noon March 1, 1989.

To Frank Anderson from Martin Hackett, Director, Management Development Unit, Civil Service Commission, a letter received March 2, 1989, issuing an invitation to attend the senior management seminar, "Managing Motivation for Performance Improvement" for recently appointed senior managers to be held the week of June 12-16, 1989. Enclosed were a description of the seminar, a reply sheet, and the course announcement for Management Development Programs for the Spring Quarter, April-June 1989.

To Peter Jamero, Director, from Supervisor Angela Alioto, Chair, Human Services Committee of the Board of Supervisors, a letter received March 8, 1989, congratulating him on his appointment and requesting the attendance of five contract compliance staff at the hearing to be held at 3:00 P.M. March 9, 1989 by the Human Services Committee regarding "Investigation Into Minority and Women Business Participation in City Contracting".

A flyer announcing a community forum to be held March 19, 1989 at 7:00 P.M. at Good Samaritan Community Center, 1292 Potrero to provide information on the 20,000 new permanent resident visas which will be available, by "lottery", during the next two years.

CHAIRPERSON'S REPORT

Chairperson Commissioner Martin reported that he had been involved in the planning for the March 8, 1989 public hearing on domestic partnership, marital status and extended family policies and had been making himself available to the newly hired Executive Director, Peter M. Jamero.

EXECUTIVE DIRECTOR'S REPORT

Director Jamero expressed his delight with his reception by Commissioners, staff, other City Officials, as well as community groups.

Supervisor Alioto has requested the attendance of five contract compliance staff at the March 9, 1989 hearing by the Human Services Committee of the Board of Supervisors regarding Investigation into Minority and Women Business Participation in City Contracting (see correspondence). Director Jamero noted that Frank Anderson and Pansy Ponzio Waller had attended the previous hearing on this issue held by this Committee. Staff will be meeting with the City Attorney's Office the morning of March 9th to discuss the HRC's role in this hearing.

STANDING COMMITTEES

ADMINISTRATIVE

Commissioner Fernandez stated that there was no report.

EMPLOYMENT

- Committee Report

  Commissioner Gillette related that the Employment Committee held its regularly scheduled monthly meeting on March 2, 1989. Organizations which should be represented on the committee have been identified. Commissioner Gillette observed that Commissioner-staff roles in the Committees is an issue for the Administrative Committee.

LESBIAN/GAY ADVISORY

- Committee Report

  Commissioner Graff observed that a great deal of work had gone into the organizing of the public hearing on domestic partnerships issues. He especially wanted to thank staffers Jackie Winnow, Norm Nickens, and Larry Brinkin and members of the Lesbian/Gay Advisory Committee and to express appreciation. Commissioner Graff related that the public hearing should be interesting, exciting and, perhaps, controversial.

- Public Hearings on Domestic Partnerships

  Commissioner Martin presented the agenda for the public hearing which was scheduled to begin at 6:00 P.M. Norm Nickens, AIDS Discrimination Representative, provided additional information. In response to Commissioner Lockhart's inquiry as to whether the role of the hearing had been clearly defined, Commissioner Graff stated that findings and recommendations based on the hearing will be finalized and acted upon by the Commission.

MBE/WBE/LBE COMMUNITY ADVISORY

Commissioner Jaber announced that there was no report.

SOCIAL ISSUES/POLICE LIAISON

- Committee Report

  Commissioner Sammon reported that the Committee met February 28, 1989 and discussed a complaint alleging discrimination in the disposition of cases at the Youth Guidance Center. The Committee, perhaps meeting jointly with the Youth and Education Committee, will investigate this issue. The next meeting of the Social Issues/Police Liaison Committee will be Tuesday, March 21, 1989 at 9:00 A.M.

YOUTH AND EDUCATION

Commissioner Pivnick announced that the next meeting of the Youth and Education Committee will be Thursday, March 16, 1989 at 3:30 P.M.

HOUSING AND URBAN DEVELOPMENT

- Committee Report

  Commissioner Kai stated that the Committee held its regularly scheduled meeting February 28, 1989. She then called upon Don Hesse, Fair Housing Coordinator.

  Mr. Hesse related that two representatives from the Coalition on Homeless Women and Children, had attended and addressed the Committee. The Coalition was originally a task force established by the Board of Supervisors in 1987 which formed themselves into a coalition because of what they saw as institutionalized discriminiation against women and children in the homelessness programs of the City. The Task Force reported back to the Board of Supervisors in December of 1988, with a lengthy report. The report included interviews with 63 homeless women in San Francisco as well as reports on significant areas of impact including housing, emergency shelter, employment, childcare and education, health care and support services. The report described in detail the resources available and the barriers which prevent homeless people from having access to these resources. Identified as reasons for the increase in the number of homeless women and children: were flight from abuse, unemployment, illness leading to loss of employment, depletion of savings, evictions, loss of spouse and subsequent loss of income, inadequacy of income meaning public assistance and even earnings in relationship to the cost of housing and other basic needs, and the lack of social support such as family, friends, and the basic community. More importantly the Task Force identified what they found to be broader structural or root causes of homelessness: The lack of housing and employment. In San Francisco, during the ten years between 1975 and 1985, there has been a loss of 5,000 low income housing units. Since 1981, the federal housing budget has been reduced by 75 percent. Employment opportunities have also diminished. Nearly half of the new jobs created in the last seven years are service sector jobs paying minimum wages or less. Part time work, including involuntary part time jobs, has increased in California from 12% of the work force in 1985 to 24% in 1988. Women with children constitute two-thirds of part time and temporary workers. The increase in part time employment has had a direct impact on the increase in the number of homeless women with children.

The Coalition has taken as its focus assisting homeless women, particularly those with children, in obtaining the most independent living situation possible. The Board of Supervisors requested that the Coalition continue its work even though their report has been submitted and report back to them on a regular basis.

The Housing Committee identified homelessness as its primary issue for the first half of 1989. Commissioners are invited to attend the next Housing Committee meeting.

Also at the February 28th meeting was Joseph Grubb, the chief building inspector. He was invited to discuss a section of the San Francisco Housing Code which has had the effect of discriminating against women. When the housing code was updated a few years ago, the intent was to ensure that every residential hotel have at least two bathrooms on every floor. The older hotels, which only had one bathroom per floor, were required to rent to only one sex and they had to record which sex with the county clerk. When women have, on occasion, tried to rent, they have been informed that the City refuses to allow the hotels to rent to women. Mr. Grubb indicated that they were in the process of reviewing building codes and he will report back to the Housing Committee with a nondiscriminatory alternative which will not negatively affect the quality of the housing stock.

There was also a representative of the coalition for low income housing which requested Committee support for a resolution, which will be presented to the next meeting of the Commission. A letter soliciting members for the Committee was also approved.

The Fair Housing Report indicated that there were 33 housing discrimination complaints filed in January. Of these, 8 were on the basis of race, 6 on child discrimination, 6 on AIDS, 3 because of other disabilities, 4 were sexual orientation, two on the basis of marital status, 1 was source of income, and 3 were on other bases. The ethnic composition was 16 Black, 14 White, 2 Hispanic, and 1 Filipino. Of the 33 complainants, 17 were male and 16 were female. Three were disabled, 27 were low income, and 4 were elderly. General discussion ensued as to why there had been no complaints filed by Asians and questions were asked regarding the process.

NEW MATTERS

Commissioner Graff and several other Commissioners inquired about the Statement of Economic Interest, Form 730, which the Commissioners are required to file. The Director stated that Gail P. Roberts will be resource to the Commissioners in completing this form.

CALENDAR MATTERS

STANDING COMMITTEES

ADMINISTRATIVE	Wednesday, April 5, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street

EMPLOYMENT	Thursday, April 6, 1989 9:30 A.M. 1850 Mission Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, March 28, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street
LESBIAN/GAY ADVISORY	Tuesday, March 21, 1989 5:30 P.M. Room 1200, State Building 350 McAllister Street
MBE/WBE/LBE COMMUNITY	To be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, March 21, 1989 9:00 A.M. HRC Conference Room 509 1095 Market Street
YOUTH AND EDUCATION	Thursday, March 16, 1989 3:30 P.M. Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

Gail P. Roberts, Coordinator, introduced intern Eric Mar, a second year law student from New College School of Law. He is working with the Employment Committee and the Social Issues/Police Liaison Committee. John Hurst, a first year Masters in Social Work Education graduate student from San Francisco State University, was reintroduced. Mr. Hurst continues to work on a variety of topics including the public hearings and the Social Issues/Police Liaison Committee.

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin. Commissioners were reminded to convene at 5:45 P.M. for the Public Hearing.

Respectfully submitted,

Peter M. Jamero
Executive Director
via Gail P. Roberts

PMJ:GPR:ad:se
3/16/89

[HRC/Min]CORR3

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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AGENDA

Thursday, March 23, 1989
Department of Public Health
101 Grove Street, Room 300 (Third Floor)
TIME: 9:00 A.M.

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meetings of Wednesday, March 1, 1989 and Wednesday, March 8, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

   HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

   a) Resolution asking City Officials to take steps to preserve low-income housing.

   LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

   a) Committee Report
   b) Report on Domestic Partnership Public Hearings

   EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

   a) Committee Report

   SOCIAL ISSUES/POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

   a) Committee Report

   YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

   a) Staff/Committee Report

   ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

   a) No Committee Report

   MBE/WBE/KBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

   a) No Committee Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

PMJ:GPR:bct
3/17/1989

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, March 23, 1989

NEXT MEETING

DATE: Thursday, April 13, 1989
TIME: 9:00 A.M.
PLACE: Room 300 (Auditorium), 101 Grove Street
Department of Public Health

ROLL CALL

Commissioners

Present: Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lawrence M. Martin (presiding), Isadore Pivnick, and Peter Sammon.

Excused: Rosemarie Fernandez and Lucile Lockhart

Staff: Peter M. Jamero (Executive Director), Don Hesse, Richard Norton, Gail P. Roberts, and Jackie Winnow.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

It was
*** m/s/c that the Minutes of the meetings of March 1, 1989 and March 8, 1989 be approved as mailed.

COMMUNICATIONS

No communications were circulated. In the interest of making this process as meaningful to Commissioners as possible, Director Jamero announced that he was rethinking the means of sharing communications and their contents and will share his findings at a future meeting.

CHAIRPERSON'S REPORT

Chairperson Commissioner Martin explained that he had several meetings with Director Jamero. Among the topics discussed was Commissioner Martin's interest in standing committee structures. He will be appointing a task force to review the possible restructing of the committees.

EXECUTIVE DIRECTOR'S REPORT

Director Peter Jamero observed that he had a very busy three weeks, meeting with the Board of Supervisors, Commissioners, other City officials, and representatives of significant communities. He has been working with staff, sharing philosophies and insights. The Director shared his observations: the commitment and hard work of Commissioners and staff is well respected; however, there is serious concern about resources available and the utilization of existing resources.

Director Jamero alluded to his presentation at a staff meeting regarding his management style. In addition, Peter Jamero commented on program activities including the proposed legislation for the MBE/WBE/LBE program and the possible enactment of Domestic Partnership legislation.

On a housekeeping matter, Mr. Jamero reminded Commissioners that permission to leave the state is required.

STANDING COMMITTEES

HOUSING AND URBAN DEVELOPMENT

- Resolution asking City Officials to take steps to preserve low-income housing

Commissioner Kai, noting that copies of a resolution for Commission action had been mailed in advance and were in their packets, introduced Erica Silverberg of the Coalition for Low Income Housing.

Ms. Silverberg distributed informational materials: "Strategy Ideas for the Coalition for Low Income Housing," "Why 2 Cents for Housing," a Coalition for Low Income Housing fact sheet, and "Buildings at Risk San Francisco- 1989-1993: Section 8 contract expirations and renewal/opt out dates."

Ms. Silverberg related that former President Reagan, President Bush, and Housing and Urban Development Secretary Kemp favor a voucher system to provide housing for low income tenants; however, the success rate for this program is 70% for White tenants and only 20% for minority tenants.

Ms. Silverberg highlighted information drawn from the fact sheets which she had distributed, noting that the Section 8 contracts for 5525 units in San Francisco were scheduled to expire by the year 2000. An additional 3,000 rental units may be in jeopardy because of the possibility of early mortgage payoffs resulting in the low income housing restrictions being lifted.

Ms. Silverberg explained that there is a national campaign to raise money for housing, the 2 cents for Housing effort. Noting the widening gap between rich and poor, she reviewed the seven resolve clauses in the Resolution under consideration by the Commission. Commissioner Pivnick requested clarification of the clause: "BE IT FURTHER RESOLVED, that funds used by the Redevelopment Agency be used to maintain the at risk units without increasing the rental burden to tenants and without decreasing the current supply of subsidized units, and." Ms. Silverberg explained that she believed that the best use of Redevelopment Agency funds was to maintain the existing supply of rental housing rather than concentrating on the building of new housing units.

On the motion of Commissioner Kai and seconded by Commission Bermudez, it was then

***m/s/c that the Human Rights Commission adopt the Resolution in support of low income housing. A copy of the full text of this Resolution is attached.

Don Hesse, Housing and Urban Development Committee staffer, observed that Erica Silverberg is representative of the professionalism, competency and dedication of the worker in the non-profit housing community. Mr. Hesse requested that the Commissioners join him in thanking Erica Silverberg and expressing appreciation to her and to other housing advocates.

Commissioner Kai related that Bob Prentice, the Mayor's Housing Coordinator, will be making a presentation to the April 25, 1989 meeting of the Housing and Urban Development Committee.

LESBIAN/GAY ADVISORY

- Committe Report

Jackie Winnow reported that, at the March 21, 1989 meeting of the Lesbian/Gay Advisory Committee, Commissioners Graff, Chinn, and Bermudez were in attendance. Director Peter M. Jamero was introduced to the Committee.

The Committee expressed concern about the Police Department's policies at demonstrations and the role and powers of the Office of Citizen Complaints in the San Francisco Police Department. L/GAC will be requesting the Social Issues/Police Liaison Committee to look into this area.

- Report on Domestic Partnership Public Hearings

Commissioner Graff thanked the Commissioners for participating in the public hearings. He then thanked Jackie Winnow, Norm Nickens, and Larry Brinkin of the staff and members of the Lesbian/Gay Advisory Committee for a smooth and very well run hearing. Jackie Winnow, in turn, thanked the Commissioners for doing a wonderful job.

Ms. Winnow related that, according to Jean Harris of Supervisor Harry Britt's office, the hearing had been very helpful to Supervisor Britt in shaping the proposed domestic partnership ordinance. For example, the confidentiality of domestic partnership certificates will be addressed. The Findings and Recommendations from the Public Hearings will be presented to the April 5th meeting of the Administrative Committee and will be acted upon at the April 13th meeting of the Commission.

EMPLOYMENT

- Committee Report

Commissioner Gillette stated that the next meeting of the Employment Committee will be at 9:30 AM Thursday, April 6, 1989. The Committee is in the process of adding new members and identifying its concerns. The Committee would like a clearer understanding of the Commission and, to this end, has requested that the Director provide data as to which City contracts are monitored and by what staff.

Commissioner Gillette stated that the Employment Committee will hear a comprehensive report on the monitoring of Airport leases and concessionaires at its April 6th meeting.

SOCIAL ISSUES/POLICE LIAISON

- Committee Report

Commissioner Peter Sammon reported that the Social Issues/Police Liaison Committee had met Tuesday, March 21, 1989. This meeting had focused on the Youth Guidance Center and the complaint of racial discrimination which alleged that White youth were being released to their families while Black youth were being incarcerated. Coleman Advocates' representative Peter Bull and the Chief Probation Officer of the Juvenile Court, Dennis Sweeny, participated in the meeting and described the problems at YGC from their perspectives. Commissioner Sammon thanked Commissioners Pivnick and Kai and Committee member Toye Moses of the Youth and Education Committee for their attendance.

The Social Issues/Police Liaison Committee is in the process of recruiting members. Officer Rachel Karp of the Community Relations Unit has been designated as the Police Department's representative. Jill Tregor of Community United Against Violence has expresed interest in serving on the committee.

At the next meeting of the Committee, representatives of the Delinquency Prevention Commission, Coleman Advocates, Juvenile Justice Commission, the SFPD's Juvenile Bureau, and Queen's Bench are being invited and will be requested to focus on the issue of possible racial/ethnic discrimination.

Commissioner Sammon noted that others, in addition to the Lesbian/Gay Advisory Committee, had requested the Social Issues/Police Liaison Committee to be involved in the issues of the Police Department's policies at demonstrations and the role and powers of the Office of Citizen Complaints in the San Francisco Police Department. General discussion among the Commissioners ensued as to the HRC's possible role. Commissioner Martin responded that concerns regarding the police could be an HRC issue and the Social Issues/Police Liaison Committee should take the lead. Perhaps a public hearing should be held with a report containing Findings and Recommendations to be submitted to the Mayor and to the San Francisco Police Department. Commissioner Sammon stated that he will take this issue to the Social Issues/Police Liaison Committee.

YOUTH AND EDUCATION

- Committee Report

Commissioner Isadore Pivnick reported that the Youth and Education Committee met March 16, 1989 and he was pleased with both the attendance and the participation of Director Peter Jamero. The Committee is seeking closure on issues in which they have been involved over a period of time. A presentation on a University of San Francisco program is scheduled for the April meeting, which has been changed to April 13th because of the regular meeting day conflicting with a religious holiday. Superintendent Cortines has been requested to send representatives to the May meeting to discuss Special Education.

Commissioner Pivnick inquired as to what constitutes a quorum of a committee. The City Attorney has issued an opinion on quorums. This issue will be discussed by the Administrative Committee.

ADMINISTRATIVE

The next meeting of the Administrative Committee will be Wednesday, April 5, 1989, at 3:30 P.M.

MBE/WBE/LBE COMMUNITY ADVISORY

Commissioner May Jaber was anticipating seeing the committee staffer in order to have an update. Commissioner Lawrence Martin and Director Peter Jamero stated that committee staffers are to be present at Commission meetings if a report is on the agenda.

NEW MATTERS

Commissioner Isadore Pivnick expressed an interest in having additional orientation for the Commissioners. While the initial orientation was helpful, Commissioners appreciate additional information on,among other issues, how the HRC operates and what staff monitors. General discussion ensued as to the most appropriate method of providing such an expanded orientation. This matter will be placed on the agenda of a future meeting.

Commissioner Lawrence Martin noted that a listing of upcoming meetings in the March 22nd edition of the San Francisco Examiner showed the HRC as meeting in the State Building rather than in the auditorium of the Department of Public Health.

Commissioner Martin reiterated that all Commissioners are to receive copies of all standing committee minutes. Director Jamero will ensure that this occurs. Commissioner Gillette inquired as to the process for receiving committee minutes prior to distribution. Commissioner Martin responded that, in the past, someone in the Director's office had reviewed minutes. Director Jamero related that staff is reviewing the process for Commission and committee minutes.

CALENDAR MATTERS

STANDING COMMITTEES

ADMINISTRATIVE	Wednesday, April 5, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, April 6, 1989 9:30 A.M. 1850 Mission Street, 1st Floor
HOUSING AND URBAN DEVELOPMENT	Tuesday, March 28, 1989 3:30 P.M. Room 1159, State Building 350 McAllister
LESBIAN/GAY ADVISORY	Tuesday, April 18, 1989 5:30 P.M. Room 1200, State Building 350 McAllister
MBE/WBE/LBE COMMITTEE	To be announced.
SOCIAL ISSUES/POLICE LIAISON	Tuesday, April 25, 1989 9:00 A.M. HRC Conference Room 509 1095 Market Street
YOUTH AND EDUCATION	Thursday, April 13, 1989 3:30 P.M. Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin at 10:13 A.M.

Respectfully submitted,

Peter M. Jamero
Executive Director
via Gail P. Roberts

PMJ:GPR:se:bclp:np
[HRC/Min]CORR3
4/6/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION

WHEREAS the current stock of privately owned, federally subsidized housing in San Francisco is a precious and irreplaceable resource to the community, and

WHEREAS the prepayment of mortgages that are insured or subsidized by HUD and the termination of project based subsidies under Section 8 of the U.S. Housing Act of 1937 may cause the displacement of thousands of individuals from their homes in San Francisco, and

WHEREAS there are over 8,000 units of federally subsidized housing at risk of conversion to market rate through contract expirations and opt outs in San Francisco, and

WHEREAS the Section 8 contracts expiring provide substantial financial support to non profit owners involved and committed to very low income housing preservation and development, and

WHEREAS affordable housing is a human right.

NOW, THEREFORE BE IT RESOLVED that the Mayor of San Francisco introduce a resolution at the U.S. Conference of Mayors in June of 1989 focusing on the federal responsibility to preserve the existing stock of low income housing through an extension of the Section 8 program, owner incentives to remain in federal programs, and support for tenant and community based non-profit acquisition of the projects at risk, and

BE IT FURTHER RESOLVED that the Mayor request the U.S. Conference of Mayors to urge the federal budget allocation for housing be increased by 2 cents more for each budget dollar spent to ensure the existence of programs aimed at preserving and producing affordable housing for the lower and middle classes, and

BE IT FURTHER RESOLVED that the Mayor request the U.S. Conference of Mayors to undertake a national inventory of projects-at-risk to be made available to government agencies and community organizations, and

BE IT FURTHER RESOLVED that the San Francisco Redevelopment Agency commit the use of tax increment funds to preserve the at risk units through tenant or community based non-profit acquisition, extended subsidies and support for tenant involvement in the preservation work.

BE IT FURTHER RESOLVED that funds used by the Redevelopment Agency be used to maintain the at risk units without increasing the rental burden to tenants and without decreasing the current supply of subsidized units, and

BE IT FURTHER RESOLVED that the Redevelopment Agency use guidelines adopted by the community through a public hearing process to define the levels of assistance and income qualifications for projects they assist, and

BE IT FURTHER RESOLVED that the Redevelopment Agency restrict the sales of at risk projects in Redevelopment areas to prevent the loss of housing and encourage community based non-profit and tenant ownership.

Resolution #3-89
Adopted by the HRC
3/23/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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AGENDA

Thursday, April 13, 1989
Department of Public Health
101 Grove Street, Room 300
(Third Floor)
TIME: 9:00 AM

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meetings of Thursday, February 23, 1989 and Thursday, March 23, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

a. Action on Findings and Recommendations
Re: Domestic Partnerships/Marital Status/Extended Family Policies
b. Referral to a hearing officer of the Respondent's request for dismissal in the matter of Harris vs. St. Francis Hospital
c. Designation of a Task Force for Revitalizing and Restructing of Commission and Committees.
d. Adoption of Resolution urging support for Assembly Concurrent Resolution 37 re: textbook treatment of Japanese American internment
e. Approval of Letters to members of standing committees clarifying Conflict of Interest regulations
f. Discussion of Commissioner Orientation Session
g. Committee Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

a. Request to the Library Commission to extend full library privileges to the homeless.
b. Committee Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

No Committee Report

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

Committee Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

No Committee Report

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

No Committee Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, April 13, 1989

NEXT MEETING

DATE: Thursday, April 27, 1989
TIME: 9:00 A.M.
PLACE: Room 300 (Auditorium), 101 Grove Street
Department of Public Health

The meeting was called to order by Chair Commissioner Lawrence B. Martin at 9:10 A.M.

ROLL CALL

Commissioners

Present: Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, May Jaber, Karen N. Kai, Lawrence B. Martin (presiding), Isadore Pivnick, and Peter Sammon.

Excused: Adrian Bermudez, Jr., Leonard Graff, and Lucile Lockhart.

Staff: Peter M. Jamero (Executive Director), Frank Anderson, Larry Brinkin, James Fields, Bayard Fong, Don Hesse, John Hurst (intern), Debra Moon (intern), Veronica Ng, Richard Norton, Gail P. Roberts, Mary Gin Starkweather and Jackie Winnow.

Guests: Jean Harris, Supervisor Britt's Office; and Carmen Vazquez, Lesbian/Gay Advisory Committee.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

*** m/s/c to accept the minutes of the meeting of Februray 23, 1989 with the correction of adding Larry Brinkin, Norm Nickens, and Pansy Ponzio Waller to the list of staff in attendance.

*** m/s/c to accept the minutes of the meeting of March 23, 1989 as mailed.

COMMUNICATIONS

Director Peter Jamero announced a new three-fold system for communications: 1. a folder containing copies available for review, 2. a listing of what is included in this folder included in each Commissioner's packet to be read aloud by the Director, and 3. contents of the communications to be highlighted in the Director's Report and, as appropriate, in Standing Committee reports. The Director will exercise his judgment as to what is to be included under correspondence.

- To Interested Persons from the Clerk of the Board, a memorandum received April 6, 1989 transmitting the 1989-90 Budget Calendar in which the HRC is scheduled to appear before the Finance Committee at 1:30 PM, June 15, 1989.

- May 5, 1988 memorandum to All Department Heads from Mayor Art Agnos, and Chief Administrative Officer Rudy Nothenberg, regarding the process for formulating the City's position on state legislation.

- Announcement of the 41st Annual Conference of International Association of Official Human Rights Agencies, Inc. to be held July 15-21, 1989 in Seattle, Washington.

CHAIRPERSON'S REPORT

Chairperson Martin expressed his appreciation to the Friends of the Human Rights Commission (FHRC) for putting together an excellent reception for Director Jamero on April 7, 1989.

Commissioner Martin related that he had been communicating with the Mayor's Office and others regarding the upcoming Public Demonstrations/Police/Civil Protection Public Hearing under the leadership of the Social Issues/Police Liaison Committee. The Youth and Education Commmittee will be spearheading a "Crack" Cocaine/Youth Gangs Public Hearing.

EXECUTIVE DIRECTOR'S REPORT

Director Peter M. Jamero echoed the appreciation expressed by Commissioner Martin to the FHRC for the lovely reception of welcome. He extended special thanks to Jane Morrison, President of FHRC, and Frank Anderson, Secretary of FHRC, and to the Commissioners who were in attendance. Director Jamero expressed pleasure with the setting and conveyed his family's enjoyment of the reception.

Director Jamero announced that the HRC's appearance before the Finance Committee is scheduled for June 15, 1989. Per the instructions of the Administrative Committee at its April 5, 1989 meeting, the Director resubmitted the request for a full time secretary to the Executive Director as a budget priority.

The Director announced that April is Fair Housing Month and presented the Governor's Proclamation, noting that this is the 23rd anniversary of the enactment of the State's Fair Housing law.

The Commissioners' three hour orientation has been set for Thursday, April 27, 1989, following the regularly scheduled Commission meeting. Hand outs will be available and visual aids will be used. At subsequent Commission meetings, 15 to 30 minutes will be devoted to an indepth review of a given issue. Director Jamero requested suggestions for the orientation.

Director Jamero announced, with pleasure, that Ed Ilumin had been upgraded to a 2996 Representative and will be staffing the Social Issues/Police Liaison Committee. It is anticipated that Clemente Obregon will be returning to work in the forseeable future.

Updating staff activities, the Director announced that an Administrative Codes Task Force has been formed to review and propose revisions to HRC ordinances and rules of procedure. This staff task force is doing the "spade work" for revisions which will ultimately be presented to the Commission. An Office Systems and Forms Revision Task Force is just being formed to review and revise support procedures. Supervisory staff are meeting to identify goals and priorities and to develop a work plan for fiscal year 89-90.

The Mayor has called together department heads for 11 AM on Friday, April 14th, to discuss the "crack" cocaine issue. HRC staff is in the process of putting together HRC's contribution which will urge balance and monitoring.

A news clipping service for staff has begun. A sample of what intern Eric Mar has been putting together will be available at the next meeting of the Commission. Director Jamero observed that a knowledgeable staff is a more effective staff.

The Director related that he appeared before the African American Agenda Council on Wednesday, April 12th.

Commissioner Gillette raised a question about a memorandum dealing with subcontracting issued by another department head, summarized in the correspondence section of a previous Commission minutes. Staff will look into this.

STANDING COMMITTEES

ADMINISTRATIVE

Action on Findings and Recommendations Re: Domestic Partnership/ Marital Status/Extended Family Policies.

Commissioner Fernandez, Chair of the Administrative Committee, called upon Jackie Winnow, Coordinator of the Lesbian/Gay and AIDS Unit to present the Findings and Recommendations.

Jackie Winnow read from page four of the Preliminary Findings and Recommendations: "That the City and County of San Francisco enact legislation rectifying discrimination on account of domestic partnerships, marital status, or extended family status and set policy that recognizes the diversity of San Francisco families; and that staff and resources be given to the Human Rights Commission to administer the non-discrimination aspects of the legislation".

Commissioner Gillette, observing that the HRC held an excellent public hearing, cautioned that the Findings may have gone beyond the testimony. She referred specifically to Finding 10: "That other localities and businesses already have successful legislation and programs which impact on non-married people. From these test cases, we already know that:

- The financial impact of current domestic partnership programs has been "insignificant" to cities currently employing such plans. In Berkeley, the City pays for employee health benefits, unlike San Francisco".

  Commissioner Gillette suggested that this wording be modified thusly:

- "That legislation and programs have been enacted in other locations which impact on non-married people. From testimony relative to the program in Berkeley, we heard that the financial impact has been insignificant in Berkeley although the City pays for employee health benefits."

Jackie Winnow accepted this substitute language; however, she pointed out that Matt Coles, representing the ACLU at the hearing, summarized the experience of other jurisdictions in his testimony.

Commissioners Gillette and Pivnick proposed modifications of the second point in Finding 10. Based on these and language suggested by Ms. Winnow and Jean Harris, Administrative Aide to Supervisor Harry Britt, that point was rewritten as follows:

- "It is possible to find health carriers who will implement domestic partnership plans. Because the programs are still new, the financial impact remains unknown; however, current findings and recommendations show no negative impact."

There was general discussion of the Findings and Recommendations. It was noted that there currently are no programs which cover extended families; however, domestic partnership coverage does work.

It was then

*** m/s/c that the Preliminary Findings and Recommendations on Domestic Partnership/Marital Status/Extended Family Policies be adopted as amended. A full copy of the Preliminary Findings and Recommendations is attached to these Minutes.

Commissioner Fernandez expressed appreciation to staff for all their work.

- Referral to a hearing officer of the Respondent's request for dismissal in the matter of Harris vs. St. Francis Hospital

  Commissioner Ferandez reported that the Administrative Committee, on the recommendation of the Executive Director, adopted the recommendation that this matter be referred to a hearing officer.

  It was then

  *** m/s/c that the Respondent's request for dismissal in the matter of Harris vs. St. Francis Hospital be referred to a Hearing Officer to provide the Commission with a recommended decision.

- Designation of a Task Force for Revitalizing and Restructuring of Committees

  Commissioner Fernandez announced that Commissioner Martin had appointed the following Commissioners to this Task Force: Bermudez, Chinn, Fernandez, Lockhart, and Martin.

- Adoption of Resolution urging support for Assembly Concurrent Resolution 37 re: textbook treatment of Japanese American internment

  Commissioner Kai proposed the addition of "the" prior to "internment program" in the fourth WHEREAS and "the" prior to "State Superintendent of Public Instruction" in NOW, THEREFORE, BE IT RESOLVED. Commissioner Kai related the history of how this Resolution had been brought to her attention. The Resolution calls upon the State Superintendent of Public Instruction and the Superintendent of Schools, SFUSD, not to adopt textbooks which do not accurately and objectively present the internment of Japanese Americans and requests that the City of San Francisco support Assembly Concurrent Resolution 37 re: textbook treatment of Japanese American internment.

  It was then

  *** m/s/c that the Human Rights Commission, upon the recommendation of its Administrative Committee, adopt the Resolution urging support for Assembly Concurrent Resolution 37 re: textbook treatment of Japanese American Internment. A full copy of this Resolution is attached to these Minutes.

- Approval of Letters to members of standing committees clarifying Conflict of Interest regulations

  Commissioner Fernandez reported that the Administrative Committee requested Commission approval of the sending of these letters. Copies of these letters were circulated in advance to Commissioners. It was noted that the letter to members of the Employment Committee should read "are" instead of "who is" in the second paragraph.

  It was then

  *** m/s/c that the Human Rights Commission, on the recommendation of its Administrative Committee, approve the sending of letters to members of the Employment, Housing and Urban Development, Lesbian/ay Advisory, MBE/WBE/LBE Community Advisory, Social Issues/Police Liaison, and Youth and Education Committees clarifying Conflict of Interest regulations.

- Discussion of Commissioner Orientation Session

  Commissioner Fernandez observed that Director Jamero had already covered this issue, noting that copies of the proposed agenda for the April 27, 1989 session were included in the Commissioners' packets.

- Committee Report

In addition to all of the items previously discussed, the Administrative Committee, at its meeting of April 5, 1989, discussed the upcoming Public Demonstrations/Police/Civil Protection Public Hearing, already alluded to in the Chairperson's Report.

The Administrative Committee also received a report on the status of the FY 89-90 HRC proposed budget and the spending level of the current FY 88-89 HRC budget, already discussed by the Director in his report.

At the meeting, Frank Anderson, Senior Contract Compliance Officer, had summarized the status of pending legislation before the Board of Supervisors regarding contracting.

Commissioner Fernandez requested that Deputy City Attorney Mara Rosales be invited to the April 27, 1989 Commission meeting, in executive session, to discuss the implications of the pending MBE/WBE legislation.

EMPLOYMENT

- Committee Report

Commissioner Gillette mentioned having seen the "World of Difference" program, sponsored by the Anti Defamation League. She was favorably impressed.

The Employment Committee met April 6, 1989. Commissioner Gillette announced the Committee members who were reappointed and those who were newly appointed. At the Employment Committee meeting, Gary Wong presented his report on the employment patterns of Airport Commission tenants. Committee member Kevin Wadsworth presented a position paper on buy-out rights and mergers. Intern Eric Mar made a report on the working conditions of garment workers. A concern for the potential undercounting by the 1990 Census of undocumented workers was voiced. The Employment Committee will be exploring a variety of possible meeting spaces, meeting in a different location each month. Kevin Williams will be making a report on Airport contracts at the May meeting. Commissioner Gillette expressed pleasure in having Director Jamero participating in the April meeting of the Employment Committee.

HOUSING AND URBAN DEVELOPMENT

- Request to the Library Commission to extend full library privileges to the homeless

Don Hesse, Housing and Urban Development Committee staffer, was introduced by Commissioner Karen Kai, Chair of the Committee. He reported that the Committee had recommended to the Commission that it send a letter to the Library Commission asking that full library privileges be extended to the homeless and low income people of San Francisco. He explained that this was an issue of the Civil Rights Committee of the Coalition on Homelessness and the Homeless Advocacy Project of the Bar Association of San Francisco, and that he and members of the community had met with the City Librarian and his staff to discuss this. The matter had been referred to one of the Library Commission's committees for review and recommendation.

Mr. Hesse noted that while this issue may be insignificant in light of some of the more obvious problems of the homeless, it was one further erosion of their rights and sense of self-worth, and another example of the continual penalties which are imposed on people as a result of their homeless condition. He further noted that the issues were identified as being proof of residence and possession of a mailing address so that contact can be made concerning overdue books. Other municipal agencies such as the Department of Social Services and the Registrar of Voters had amended their rules to include the homeless and people on General Assistance.

MBE/WBE/LBE COMMUNITY ADVISORY

- Committee Report

Commissioner Jaber called upon Frank Anderson, Coordinator of the MBE/WBE unit, to bring the Commissioners up to date on recent developments. Commissioners had received in their packets an April 5, 1989 memorandum from Frank Anderson describing pending legislation before the Board of Supervisors regarding contracting.

Mr. Anderson thanked Commissioner Fernandez for her excellent summary of recent developments in the MBE/WBE/LBE program as part of her Administrative Committee report.

The existing MBE/WBE/LBE Ordinance has been extended until June 30, 1989, to allow the opportunity for the new ordinance to be carefully drafted. Action by the U.S. Ninth Circuit Court of Appeals on the Associated General Contractors (AGC) vs. the City and County of San Francisco law suit has been delayed pending introduction of the new legislation. Mr. Anderson explained that AGC had petitioned United States Supreme Court Associate Justice Sandra Day O'Connor, who authored the City of Richmond, VA vs. Croson decision, to issue an injunction. She refused the request for the injunction. The AGC had argued that the Ninth Circuit was not following the U.S. Supreme Court decision.

According to Frank Anderson, the Governmental Services Committee of the Board of Supervisors has been meeting weekly, hearing testimony on the extension of the M/W/LBE Ordinance. It is anticipated that the City Attorney's Office will have a draft ordinance ready within a couple of weeks. Mr. Anderson reported that the HRC has engaged a consultant to assist in obtaining needed data to justify the extension of the program.

Commissioner Fernandez stressed the importance of the new MBE/WBE/LBE Ordinance and reminded Commissioners to "do your homework" on this matter.

Frank Anderson summarized two proposed ordinances pending before the Board of Supervisors to amend Chapter 6 of the San Francisco Administrative Code. It would mandate that City departments reject the bids of prime contractors when the contractors (or their subcontractors) are not signatories to a state recognized apprenticeship and/or training program and/or do not meet other requirements.

The Mayor's Office is seeking to assist in resolving of the issues involved. The Mayor is establishing a task force to address the various issues and interests, prior to the enactment of any legislation by the Board. Commissioner Lawrence B. Martin has been appointed to this task force. Commissioner Martin commented on the proposed legislation.

SOCIAL ISSSUES/POLICE LIAISON

Commissioner Sammon explained that the Committee's planned discussion of the Youth Guidance Center and the juvenile justice system, originally scheduled for its April meeting has been postponed. The meeting of April 25th will be devoted to planning for the upcoming Public Demonstrations/Police/Civil Protection Public Hearing.

YOUTH AND EDUCATION

Commissioner Pivnick announced that the Youth and Education Committee will be meeting today, Thursday, April 13, 1989, at 3:30 PM. Commissioner Martin has made a request of the Committee that it spearhead a "Crack" Cocaine/Youth Gangs Public Hearing.

NEW MATTERS

There were no new matters.

CALENDAR MATTERS

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, May 4, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, May 4, 1989 9:30 A.M. Times Savings and Loan Association 1 Daniel Burnham Court
HOUSING AND URBAN DEVELOPMENT	Tuesday, April 25, 1989 3:30 P.M. Room 1159, State Building 350 McAllister
LESBIAN/GAY ADVISORY	Tuesday, April 18, 1989 5:30 P.M. Room 1200, State Building 350 McAllister
MBE/WBE/LBE COMMITTEE	To be announced.
SOCIAL ISSUES/POLICE LIAISON	Tuesday, April 25, 1989 9:00 A.M. Room 1200, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, April 13, 1989 3:30 P.M. Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin at 10:55 A.M.

Respectfully submitted,

Peter M. Jamero
Executive Director

via Gail P. Roberts

PMJ:GPR:bct
[HRC/Min]CORR3
4/24/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

PUBLIC HEARINGS ON DOMESTIC PARTNERSHIP/ MARITAL STATUS/EXTENDED FAMILY POLICIES

The Human Rights Commission, having conducted a public hearing on March 8, 1989 to study the concepts of domestic partnership benefits/marital status/ extended family policies and the impact that currently restricting such benefits to certain groups (heterosexual married persons) has on the people of San Francisco, hereby submits its preliminary findings and recommendations, based on oral and written testimony at the Public Hearing.

FINDINGS:

1. That the City and County of San Francisco, by legislation, policy and practice, has consistently refused to tolerate discrimination based upon sexual orientation;

2. That de facto and de jure discrimination do currently exist in the City and County of San Francisco with regard to domestic partnerships and extended families whether or not related by blood or marriage;

3. That Lesbian/Gay couples, domestic partnerships, and extended families have systematically and institutionally been denied the right to be treated with respect and equity under the law as accorded to heterosexual citizens who engage in legal marriage sanctioned by the State;

4. That members of domestic partnerships and extended families have demonstrated their commitment and responsibility for each other's health and welfare in all areas of life as have heterosexual marriages and blood relationships, and the functional issues of family life do not recognize and are not contingent upon the marital status of the adults of the family and that those taking responsibility for the emotional and economic needs of their families do not know distinctions between legal marriage and non-marriage, nor a particular sexual orientation;

5. That although domestic partnerships affect Lesbians and Gay men, many different family units and family needs can be addressed by changes in legislation;

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CALENDAR MATTERS

STANDING COMMITTEES

6. That existing laws and policies undermine the structure of non-marital families and erect economic, psychological and social impediments to rich constructive family life. This kind of family life is in the State's best interest to encourage.

7. That freedom to form primary relationships is a fundamental human right;

8. That children of domestic partnerships and extended families not related by blood or marriage suffer undue hardship by virtue of discrimination against the adults responsible for their care;

9. That the City and County of San Francisco does have within its purview the means to develop remedies for discrimination because of domestic partnerships without undue fiscal burden as has been demonstrated by both business policy and civil law in this and other communities;

10. That legislation and programs have been enacted in other locations which impact on non-married people. From these test cases, we already know that:

    * from testimony relative to the program in Berkeley we heard that the financial impact has been "insignificant" in Berkeley, even though the City pays for employee health benefits.

    * it is possible to find health carriers who will implement domestic partnership plans. Because the programs are still new, the financial impact remains as yet unknown; however, current findings show no negative impact.

    * although domestic partnerships mimic the same population as married couples, insurance providers have indicated that they would be unduly fiscally burdened by adding on extended family members and would not do that.

    * fair and well-defined definitions of domestic partnership aid in the success of domestic partnership plans. Legislation need not say anything about sexual or affectional orientation.

    * domestic partner plans have had a tremendous positive impact on the lives of employees.

    * current federal law, which forbids economic discrimination in mortgages to unmarried people, causes no problems for lenders.

    * various businesses have already ended economic discrimination successfully against non-married couples in specific programs, e.g., United Airlines in family travel discounts, State Farm Insurance, and AAA of Southern California;

11. That there are many economic effects to being married or not being married, such as:

    * it is difficult to collect benefits in order to leave work to care for an ill, unmarried partner (benefits which are presumed for a spouse).

    * certain services may cost more for unmarried couples, such as house and car insurance.

    * tax liability is dependent upon marital status.

    * many citizens are forced to make a choice between honesty and benefits. Non-married heterosexual testifiers confessed "lies" they made in order to enjoy or purchase services.

    * sometimes unmarried couples are actually subsidizing married couples when businesses offer "married couples discounts." In other situations, these discounts are paid for by savings in economies of scale, but there is no economic reason to discriminate between married and unmarried couples.

    * married employees enjoy more rights and compensated benefits than those in a domestic partnership, thereby creating a disparity in rights and privileges and may create animosity among employees and management;

12. That legislation be drafted carefully so that there is no federal or state pre-emption;

13. That there are reasonable fears that the use of public affidavits for creating domestic partnerships may be used to jeopardize Lesbians and Gay men. There is a need for confidentiality and a privacy option;

14. That organized religion does not speak with one voice, but generally agree on the inequities imposed by unequal benefits. Regardless, this is a civil matter;

15. That choices concerning grave illness, incapacitation, and death decisions are limited because of policies which do not recognize non-traditional families.

    * domestic partners have not been granted bereavement leave when long-time partners have died.

    * domestic partners have not been able to keep children raised jointly when the legal parent has died or become disabled.

- domestic partners have not been able to make health decisions for incapacitated partners.
- current hospital visitation protocols often give power to doctors and nurses in allowing visits from domestic partners;

16. That due to marital discrimination, some elderly persons feel forced not to marry in order to protect their benefits;

17. That families with disabled members have additional needs and concerns, including extended child-rearing periods, and more on-going day-to-day care. Many disabled persons live in households with other disabled persons and attendants; and

18. That there is a need to actively seek legal rights for couples that do not or cannot marry. These rights, which are granted automatically by marriage, can be obtained through seeking durable power of attorney, appropriate wills, designated insurance beneficiary, and other means.

RECOMMENDATIONS:

That the City and County of San Francisco enact legislation rectifying discrimination on account of domestic partnerships, marital status, or extended family status and set policy that recognizes the diversity of San Francisco families; and that staff and resources be given to the Human Rights Commission to administer the non-discrimination aspects of the legislation.

The City should consider the following when enacting legislation and/or policy:

1. That legislation and/or policies cover all aspects of City employment policies, City family and social service policy, and the enforcement and enjoyment of the City's goods and services;

2. That the City should seek to find out if jurisdiction exists to impact the private sector to ensure leave policies, visitation rights, real esate and rental rights, non-discrimination by business establishments and public accommodations. If such jurisdiction does exist, these should be written into the legislation and/or policy;

3. That the identification of domestic partnerships and extended families be undertaken in a manner that does not abridge civil liberties and that offers protection to all parties involved;

4. That the City and County provide a definition of domestic partnership and extended families which is inclusive in its letter and intent;

5. That the City and County develop enforcement provisions to ensure the implementation of its legislation wherever legally possible;

6. That the Health Service System be requested to convene a task force to determine needs and feasibility of adding domestic partners and/or other relationships, to city health benefit plans;

7. That the City produce and distribute information and resource materials for non-traditional families concerning their legal rights in the areas of wills, durable power of medical attorney, living together agreements, etc.

JW:ad
4/14/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

April 14,1989

Mr. Stephen Coulter, President
Library Commission
San Francisco Library
Civic Center
San Francisco, CA 94102

Dear Mr. Coulter:

The Human Rights Commission, at its regular meeting on April 13, 1989, voted to support the proposal of the Civil Rights Committee of the Coalition on Homelessness to extend library privileges to homeless and low income residents of San Francisco.

Under the present system, homeless and many other low income people are denied the right to borrow materials because they do not have and often are unable to obtain an address where they have resided for 30 consecutive days.

Taking into consideration the conflicting responsibilities of the Library, we recommend that the lending policy be modified in the following manner:

1. All persons, including homeless and low-income persons, can obtain a San Francisco Library Card by establishing: identification and proof of San Francisco Residence. In addition to the acceptable documents already posted at the library, proof of residence may be shown by a) a letter from a recognized social service provider, b) a public assistance check such as General Assistance or A.F.D.C., or other documentation from the Department of Social Services, c) a California I.D. card with a local address or d) a letter from a San Francisco merchant or business which establishes where the client lives.

2. In all cases where a person does not have a permanent, stable address, a mailing address where they regularly receive mail must be provided. This can be established by: a) a letter from a service provider vouching that they act as a mail drop for the applicant, b) proof that mail has been received at a local address (including General Delivery) within the past 30 days or, c) proof of a post office box.

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In making this recommendation, we acknowledge the efforts of the City Librarian and his staff in working with the community to resolve this matter. We urge your continued cooperation in striving to make the library ever more accessible to all San Franciscans.

Sincerely,

Lawrence B. Martin
Chair

LBM:DH:ad

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION

Urging support for Assembly Concurrent Resolution 37 re: text book treatment of Japanese American internment

WHEREAS over 110,000 Americans of Japanese ancestry were unjustly interned in American concentration camps during World War II; and

WHEREAS the Congressional Commission on Wartime Relocation and Internment of Civilians after extensive investigation of the causes, conduct and consequences of the forced exclusion and internment of Japanese Americans, including testimony from many San Franciscans, concluded that the exclusion and internment were "not justified by military necessity....The broad historical causes which shaped these decisions were race prejudice, war hysteria and a failure of political leadership, and

WHEREAS the United States Supreme Court decisions upholding the internment on the basis of military necessity were reopened and found to have been wrongfully obtained by the suppression and destruction of evidence demonstrating the loyalty of Japanese Americans and that in fact no military necessity existed for the racially discriminatory orders to restrict, exclude and intern Japanese Americans; and

WHEREAS the Civil Liberties Act of 1988 was signed into law by the President of the United States in recognition of and aopology for the grave injustices of the internment program; and

WHEREAS textbooks currently in use in California public schools do not accurately describe the internment as a violation of human and constitutional rights; and

WHEREAS the internment of Japanese Americans and the measures taken to correct and redress that wrong should be accurately presented to California students in order that they will learn to recognize, cherish and defend our civil, constitutional and human rights.

NOW, THEREFORE BE IT RESOLVED that the Human Rights Commission of San Francisco requests that the State Superintendent of Public Instruction and the Superintendent of Schools, San Francisco Unified School District, not adopt any textbook unless it accurately and objectively presents the internment of Japanese Americans as a violation of human rights and not as an act justified by military necessity, and

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BE IT FURTHER RESOLVED that the Human Rights Commission requests the San Francisco Board of Supervisors and the Mayor to support Assembly Concurrent Resolution 37 which requests that the State of California not adopt any textbook unless it accurately and objectively presents the internment of Japanese Americans as a violation of human rights and not as an act justified by military necessity.

Resolution #4-89
Adopted by the HRC
4/13/89

[GR/Rsltn]PLN
4/14/89 se

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

AGENDA

Thursday, April 27, 1989
Department of Public Health
101 Grove Street, Room 300
(Third Floor)
TIME: 9:00 A.M.

DOCUMENTS DEPT.
APR 24 1989
SAN FRANCISCO
PUBLIC LIBRARY

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meetings of Thursday, April 13, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A. Action on Public Demonstrations/Police/Civil Protection Public Hearing

B. Committee Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Action on Letter Urging Senator Wilson to Support Federal Gay Rights Bill

B. Committee Report

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

Committee Report

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

No Report

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

No Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

No Report

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8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

HRC ORIENTATION

TIME: 10:00 A.M. (or following HRC Meeting) - 1:00 P.M.

PROPOSED AGENDA

	Item	Presentator	Time
1.	Director's Overview	Jamero	5
2.	MBE/WBE Unit - Status of MBE/WBE/LBE Legislation - Analysis of U.S. Supreme Court decision in the City of Richmond, VA v. Crosin Company case - Certification of MBE/WBE/SBE/LBEs - Background of MBE/WBE Advisory Committee - Monitoring City and County departments' utilization of MBE/WBEs as prime contractors. - Acting upon departmental MBE/WBE Plans - Acting upon departmental waivers - Outreach and technical assistance	F. Anderson	45
3.	Contract Compliance Unit - Data Format/Sample Contract - Types of contracts monitored by departments and by dollar amounts and by which staff person. - Pre-bid/pre award conference - Analysis of work force MBE/WBE data - Findings of Non-compliance and Discrimination - MBE/WBE/LBE Certification - Crosin Decision	Zimpel	20
4.	Dispute Resolution - Operation of Commission under 12.A. as a forum for the investigation and mediation of community and intergroup disputes.	Hesse	25

	Item	Presentator	Time
	- Evolution to a office concerned with monitoring city contractors for compliance with numerical goals and business participation.		
	- Present status of dispute resolution in Commission structure:		
	1.) Intergroup Clearinghouse		
	2.) Complaint mediation		
	3.) Committee Function		
	- Problems		
5.	Lesbian/Gay/AIDS/ARC Unit		
	- Current Lesbian/Gay issues with a particular emphasis on Lesbian/Gay health	Winnow	8
	- Complaint investigation and handling	Brinkin	8
	- AIDS/ARC issues	Nickens	8
6.	Commission's Role in complaint process	Hessse	10
7.	Administration	Jamero	
	A. Budget Overview	Treanor	8
	1. Funding Service		
	a. General Fund		
	b. Work Order		
	(1) Clean Water Program		
	(2) S.F. Port Commission		
	(3) SFIA		
	c. OCD		
	2. Calendar & prep cycle		
	B. Personnel Process	Treanor	8
	1. Position in Salary Ordinance		
	2. Requisition and Appointment Process		
	3. NCS (Non Civil Service) - Limited Tenure-Permanent: Rule of 3		
	4. Evaluations		
	5. Compensation and Benefits		
	6. Comp Time		
	C. HRC Policies and Procedures	Roberts	5
	- Positions on State Legislation		
	- HRC Policies		

	Item	Presentator	Time
8.	General Discussion	All	30

Opportunity for questions and answers during the presentations will be provided as well as for general discussion.

During regular Commission meetings, 15 to 30 minutes will be devotted to indepth discussion of key issues. Visuals and printed copies of these visuals will be avalable at the orientation session.

GPR:ad

[Agenda]PLN
4/21/89

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4/27/89

DOCUMENTS DEPT.
MAY 16 1989
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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, April 27, 1989

NEXT MEETING

DATE: Thursday, May 11, 1989
TIME: 9:00 A.M.
PLACE: Room 300 (Auditorium), 101 Grove Street
Department of Public Health

The meeting was called to order by Chair Commissioner Lawrence B. Martin at 9:05 A.M.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), Isadore Pivnick, and Peter Sammon.

Excused: Leonard Graff.

Staff: Peter M. Jamero (Executive Director), Frank Anderson, Larry Brinkin, Don Hesse, John Hurst (Intern), Ed Ilumin, Norm Nickens, Richard Norton, Gail P. Roberts, Carmen Smith, David Treanor, Pansy Ponzio Waller, Jackie Winnow, and Vicky Zimpel.

Guests: Dennis Conkin, San Francisco Sentinel/Tenderloin Times; and Jeff Tyrrell, San Francisco State University student.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

*** m/s/c to accept the minutes of the meeting of April 13, 1989 with the correction that, on Page 5, rather than the "appointment of", the wording is to be "recommended the appointment and reappointment of members of the Employment Committee" and the clarification as to what "doing homework" meant as studying the existing MBE/WBE Ordinance and Rules and Regulations in order to compare it with the proposed MBE/WBE Ordinance and accompanying Rules and Regulations.

COMMUNICATIONS

An invitation to a May 4, 1989 reception honoring Gayle Orr-Smith upon her appointment as Deputy Mayor for Public Safety - FYI.

To Peter Jamero, Executive Director, from Claude Everhart, Deputy Mayor, a memorandum, dated April 17, 1989, summarizing HRC's role in Domestic Partners/Marital Status/Extended Families - referred to Lesbian/Gay Unit.

A copy of "Institutionalized Discrimination in San Francisco's Arts Funding Patterns" by Jeff Jones and Russel T. Cramer issued April 20, 1989 - referred to Employment Committee.

To Mary Gin Starkweather from Mayor Art Agnos appointing her to the Mayor's Disability Task Force - FYI.

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

A letter from Michael Hennessey, Sheriff, to Director Jamero, transmitting the Department's 1989 Affirmative Action Report - referred to Frank Anderson.

An announcement of the Intergroup Clearinghouse, Inc. Symposium: San Francisco's Changing Demography: Immigration and Intergroup Relations, on April 28, 1989 - FYI.

To Peter Jamero, Executive Director, from Willis A. Casey, Deputy Chief of Police, Administrative Bureau, a letter received April 20, 1989 transmitting seven documents relating to crowd control - referred to Social Issues/Police Liaison Committee.

CHAIRPERSON'S REPORT

Chair Lawrence B. Martin reported having met with Director Jamero regarding possible public hearings and also having met with Commissioner Sammon regarding a possible public hearing by the Social Issues/Police Liaison Committee. Commissioner Martin related that he was requesting of Commissioner Gillette and the Employment Committee that it sponsor a public hearing on employment of youth as a high priority for the Employment Committee.

EXECUTIVE DIRECTOR'S REPORT

Director Peter Jamero presented an extensive report prepared by staff which will help form a basis for the to-be-proposed MBE/WBE Ordinance, at the April 24 meeting of the Governmental Operations Committee of the Board of Supervisors. Berkeley Planning Associates, a consultant employed by the HRC to obtain availability data, will be presenting its report to the Governmental Operations Committee on May 1. The Director urged Commissioner attendance at this hearing. Noting that there had been a great deal of staff work generating raw data, Mr. Jamero observed that everything is now "coming together." The Governmental Operations Committee will be holding hearings on the MBE/WBE Ordinance through May 15. Action by the Board of Supervisors on the proposed ordinance is anticipated at its May 15, 1989 meeting.

The City Wide Affirmative Action Task Force consisting of contract compliance officers from City and County departments, is meeting weekly to discuss common goals and procedures. Its second meeting was April 26.

Director Jamero announced that the special task force appointed by the Mayor to review the operation and structure of the Commission on the Status of Women has presented its recommendations. COSW is moving ahead with becoming an independent commission once again.

The Director will be attending the annual conference of the California Association of Human Relations Organizations (CAHRO) May 11, 12 and 13 in Concord and of the International Associations of Official Human Relations Agencies (IAOHRA) from July 11 through 19 in Seattle, Washington.

National Secretaries Week is being celebrated the week of April 24th. Director Jamero is very appreciative of HRC's clerical support staff. On behalf of the Commission, the Director will convey that appreciation and support.

Chairperson Martin and Director Jamero will meet with the Mayor's Office April 28 to discuss the HRC's FY 89-90 budget.

Director Jamero described his recent media contacts, having been interviewed by KNBR radio and TV Channel 26 and his "foreign relations" activities. The Director met with a human rights delegation from Morocco and with Vachtong Rcheulishvilli, who brought with him a letter of greetings from the Mayor of Tbilisi, Soviet Georgia, to the Mayor of San Francisco.

STANDING COMMITTEES

SOCIAL ISSUES/POLICE LIAISON

- Action on Public Demonstrations/Police/Civil Protection Public Hearing

Commissioner Peter Sammon announced that the next meeting of the Social Issues/Police Liaison Committee is scheduled for Tuesday, May 9, 1989.

At that time, the Committee will decide on the topics for the public hearing and will identify potential testifiers. Gayle Orr-Smith, Deputy Mayor for Public Safety, at the request of Chairperson Lawrence B. Martin, had the San Francisco Police Department send information on crowd control and related issues. Commissioner Sammon urged the Commissioners to study these materials. Commissioner Sammon observed that the Public Hearing will be focussing on the human rights of individuals. He related an example of a person being involved in a demonstration having been subpoenaed to testify before the Grand Jury and being given less than 24 hours notice. Another example was of a man being arrested while delivering his tax forms to the federal building.

Don Hesse is the lead person for the Public Hearing. Ed Ilumin is the liaison to the Social Issues/Police Liaison Committee and Gail P. Roberts will be responsible for logistics. Commissioner Sammon explained that eight Commissioners need to be present to establish a quorum. Commissioners Gillette and Lockhart will be absent for the Public Hearing scheduled for Wednesday, June 28, 1989 from 6:00 P.M. to 10:00 P.M.

- Committee Report

Commissioner Sammon explained that Committee discussion of the problems at the Youth Guidance Center had been postponed indefinitely; however, the issue will be studied by the Committee when the time is appropriate.

Commissioner Sammon announced four people that he hoped would become Committee members.

Mary Gin Starkweather has been appointed by the Mayor to the City's Section 504 Compliance Task Force of which Larry Del Carlo is the chair. The first meeting of the Task Force is scheduled for today (April 27, 1989).

LESBIAN/GAY ADVISORY

- Action on a Letter Urging Senator Wilson to Support Federal Gay Rights Bill

Commissioner Lenore Chinn, in the absence of Commissioner Graff, requested that the Commission endorse the sending of a letter to Senator Pete Wilson urging his support for and co-sponsorship of Senate Bill 47, the Gay Rights Bill. The letter expresses concern for the life of Stuart McDonald, a Gay man with AIDS who is fasting to call attention to discrimination against people with AIDS and Lesbians and Gay men.

Commissioner Chinn noted that whatever one thinks about the tactic of fasting as a political statement, this issue is particularly timely because of the state of Stuart McDonald's health. This issue and the sending of a letter to Senator Wilson was discussed at the April 18 meeting of the Lesbian/Gay Advisory Committee and had the support of those present.

After discussion, Commissioner Isadore Pivnick requested the deletion of the first sentence of the last paragraph: "Mr. McDonald has stated that he will stop his fast, thereby sustaining his life, if you agree to become a co-sponsor of S.47." This amendment was accepted by the mover: Commissioner Chinn and by the seconder: Commissioner Karen Kai.

It was then
***m/s/c that the Human Rights Commission endorse the sending of a letter to Senator Pete Wilson urging his support for and co-sponsorship of Senate Bill 47, the Gay Rights Bill. A copy of this letter is attached to these Minutes.

- Committee Report

Commissioner Chinn called on staff member Larry Brinkin who gave the Committee report. The Lesbian/Gay Advisory Committee met April 18, 1989. The Committee was very pleased by Commissioner support for the Preliminary Findings and Recommendations from the Public Hearing on Domestic Partnership. Commissioner Chinn discussed the press conference, held April 25th on the proposed Domestic Partnership legislation and described the materials which were distributed.

Mr. Brinkin reported that there will be an HRC table at the Lesbian/Gay Freedom Day Parade June 25th. The Committee is inviting the Commissioners to participate as a contingent in the parade.

Mr. Brinkin related the experience of an AIDS expert from Holland, who himself has AIDS, who was initially barred from visiting the United States for an AIDS conference and was placed in a maximum security prison in Minnesota. San Francisco is scheduled to be the site for the 1990 international conference on AIDS. Because of the ban by the Immigration and Naturalization Service on visitors who are HIV positive, the international conference may have to be cancelled for San Francisco.

Mr. Brinkin observed that there were approximately 100 bills on AIDS/ARC introduced in the California Legislature this session.

Mr. Brinkin related that a public opinion survey conducted by the San Francisco Chronicle included the question: "Are there too many Gays in San Francisco?" This issue will be brought to the May 11 meeting of the Commission.

YOUTH AND EDUCATION

- Committee Report

Commissioner Isadore Pivnick commented on the good attendance at the April 13 meeting of the Youth and Education Committee.

Thomas A Nazario, Esq., School of Law, University of San Francisco and Director of Community Legal Education, made a presentation to the Committee on the Street Law Project, which works with disadvantaged Bay Area youth, at forty-one high school and nineteen middle schools, to deliver information about their basic legal rights. Commissioner Pivnick related that Commisioner Kai used to participate in this program and is on the Street Law Project's Advisory Council.

The May 18 meeting of the Youth and Education Committee will focus on Special Education, a follow-up from a presentation to the Committee the previous year.

HOUSING AND URBAN DEVELOPMENT

- Committee Report

Commissioner Kai reported that Bob Prentice, the Mayor's Coordinator for the Homeless, and Greg Francis, Coordinator of the Coalition on the Homeless, made presentations to the April 25 meeting of the Housing and Urban Development Committee. The Committee is now focusing on its role in the homeless issues.

The Committee has received responses from some people who wish to become members.

MBE/WBE/LBE COMMUNITY ADVISORY

There was no report.

EMPLOYMENT

Commissioner Frankie Gillette reported that the next meeting of the Employment Committee will be May 4, 1989.

Commissioner Gillette stated that the Employment Committee will proceed with a public hearing on youth employment if it can be assured of adequate staffing and resources. Commissioner Martin stated that the Committee would have what it needs.

ADMINISTRATIVE

There was no report.

NEW MATTERS

- Commissioner Isadore Pivnick raised the issue of a community forum and public hearing, sponsored by the Youth and Education Committee on the issue: Crack Epidemic in San Francisco: Its Impact on Youth. The Health Commission, in cooperation with the Commission on Aging, the Housing Authority, Police Commission, Recreation and Park Commission, and Social Services Commission will be holding a public hearing on "Crack" on Monday, June 5, from 4:00 P.M. to 6:00 P.M. in the Bayview. Commissioner Pivnick noted that the HRC had three options to consider: 1. cancel plans for both a community forum and a public hearing; 2. go ahead with both; or 3. hold the community forum and cancel the public hearing.

Commissioner Martin observed that this issue does not impact on only one community; noting that the June 5 hearing will be held in Bayview.

The HRC will go ahead with both the community forum and the public hearing on Crack. Norm Nickens is the lead person.

CALENDAR MATTERS

It was announced that the Human Services Committee of the Board of Supervisors will hold a hearing on the proposed Domestic Partnership legislation at its Thursday, May 11, 1989 meeting.

Commissioner Lawrence Martin announced that the Task Force for Revitalizing and Restructuring of the Commission and Committees will hold its initial meeting Thursday, May 4, at the HRC offices at approximately 5:00 P.M., following the Administrative Committee meeting.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, May 4, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, May 4, 1989 9:30 A.M. Times Savings and Loan Association 1 Daniel Burnham Court

HOUSING AND URBAN DEVELOPMENT	Tuesday, May 23, 1989 3:30 P.M. Room 1159, State Building 350 McAllister
LESBIAN/GAY ADVISORY	Tuesday, May 16, 1989 5:30 P.M. Room 1200 State Building 350 McAllister
MBE/WBE/LBE ADVISORY	To be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, May 9, 1989 9:00 A.M. Room 1200, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, May 18, 1989 3:30 P.M. Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin at 10:12 A.M.

The orientation session was convened by Chairperson Martin at 10:35 and adjourned by him at 1:15 P.M.

The agenda for the portion of the orientation session covered is reproduced herein:

1. Director's Overview
2. MBE/WBE Unit
    - Status of MBE/WBE/LBE Legislation
    - Analysis of U.S. Supreme Court decision in the City of Richmond, VA v. Croson Company case
    - Certification of MBE/WBE/SBE/LBEs
    - Background of MBE/WBE Advisory Committee
    - Monitoring City and County departments' utilization of MBE/WBEs as prime contractors.
    - Acting upon departmental MBE/WBE Plans
    - Acting upon departmental waivers
    - Outreach and technical assistance

3. Contract Compliance Unit
    - Data Format/Sample Contract
    - Types of contracts monitored by departments and by dollar amounts and by which staff person.
    - Pre-bid/pre-award conference
    - Analysis of work force MBE/WBE data
    - Findings of Non-compliance and Discrimination
    - MBE/WBE/LBE Certification
    - Croson Decision

4. Dispute Resolution

    - Operation of Commission under Chapter 12.A. as a forum for the investigation and mediation of community and intergroup disputes.

    - Evolution to an office concerned with monitoring city contractors for compliance with numerical goals and business participation.

    - Present status of dispute resolution in Commission structure:

        1.) Intergroup Clearinghouse
        2.) Complaint mediation
        3.) Committee Function

    - Problems

5. Lesbian/Gay/AIDS/ARC Unit

    - Current Lesbian/Gay issues with a particular emphasis on Lesbian/Gay health

    - Complaint investigation and handling

The remainder of the orientation session will be completed following the regular agenda for the meeting of May 11, 1989.

Respectfully submitted,

Peter M. Jamero
Executive Director

via Gail P. Roberts

PMJ:GPR:np:ad:bct

[HRC/Min]CORR3
5/9/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

May 2, 1989

Senator Pete Wilson
720 Hart Senate Office Building
Washington, DC 20510

Dear Senator Wilson:

We are writing to urge you to support and become a co-sponsor of S.47, the Gay Rights bill. Our city has a long and noble history of supporting equal rights and protections for all of its citizens. It is in keeping with this tradition that we make this appeal to you.

As you know, a citizen of our city, Stuart McDonald, has been on a hunger strike for over three months in an attempt to dramatize the effects of discrimination on Gay people and on people with AIDS. Mr. McDonald has now gone on to a water-only fast, and his condition is swiftly declining. Whatever one thinks about the tactic of fasting as a political statement, Mr. McDonald is sacrificing his life for his deeply held belief that discrimination can kill just as surely as can AIDS.

San Francisco is a city with a diverse population. We believe that our city provides a shining example that people with different backgrounds, life-styles, and beliefs can live together in harmony and respect. In order to assure that all of our citizens are treated with equality and respect, it is imperative that they are equal under the law. The law must recognize and seek to eradicate the prejudices of the past.

S.47 is a bill that would amend the language of the Civil Rights Act of 1964 to include "sexual and affectional orientation" as a protected class. It guarantees to Gay citizens that their sexual orientation cannot be used to deprive them of job opportunities, housing, or public accommodations. S.47 simply provides Gay people with the rights enjoyed by other Americans.

For the sake of Stuart McDonald, and for all the citizens of our country, we urge you to support and co-sponsor this important legislation.

Sincerely,

Lawrence B. Martin

Lawrence B. Martin
Chair

LBM:LB:np
[LBM/np]PLN
cc: Senator Alan Cranston
Mayor Art Agnos
San Francisco Board of Supervisors

5) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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AGENDA

Thursday, May 11, 1989
Department of Public Health
101 Grove Street, Room 300
(Third Floor)
TIME: 9:00 A.M.

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeting of Thursday, April 27, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A.) Request approval to March as a Contingent in Lesbian/Gay Freedom Day Parade.

B.) Request Approval of letter to San Francisco Chronicle regarding an opinion poll, which asked "Too Many Gay?"

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A.) Action on "Unfinished Business: Public Demonstrations" Public Hearing.

B.) Committee Report

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A.) Action on "Crack Epidemic in San Francisco: Its Impact on Youth" Community Forum/Public Hearing

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

A.) Action on Summer Youth Employment and Recreation Public Hearing

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

A.) Adoption of Resolution of Commendation for the University of San Francisco Street Law Project

B.) Focus of Task Force for Revitalizing and Restructuring of the Commission and Committees.

C.) Planning for HRC's 25th Anniversary

15) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

D.) Committee Report.

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

No Report

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

No Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

HRC ORIENTATION CONTINUATION

PROPOSED AGENDA

Item	Presentator	Time
1. Lesbian/Gay/AIDS/ARC Unit		
- AIDS/ARC issues	Nickens	8
2. Commission's Role in complaint process	Hesse	10
3. Administration	Jamero	
A. Budget Overview	Treanor	8
1. Funding Service		
a. General Fund		
b. Work Order		
(1) Clean Water Program		
(2) S.F. Port Commission		
(3) SFIA		
c. OCD		
2. Calendar & pre cycle		
B. Personnel Process	Treanor	8
1. Position in Salary Ordinance		
2. Requisition and Appointment Process		
3. NCS (Non Civil Service) - Limited Tenure-Permanent: Rule 3		
4. Evaluations		
5. Compensation and Benefits		
6. Comp Time		
C. HRC Policies and Procedures	Roberts	5
- Positions on State Legislation		
- HRC Policies		

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, May 11, 1989

NEXT MEETING

DATE: Thursday, May 25, 1989
TIME: 9:00 A.M.
PLACE: Room 300 (Auditorium), 101 Grove Street
Department of Public Health

The meeting was called to order by Chair Commissioner Lawrence B. Martin at 9:05 A.M.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), and Peter Sammon.

Excused: Leonard Graff and Isadore Pivnick.

HRC Staff Peter M. Jamero (Executive Director), James Fields, Don Hesse, John Hurst (Intern), Ed Ilumin,Veronica Ng, Norm Nickens, Richard Norton, Gail P. Roberts, David Treanor, and Gary Wong.

COSW Staff Jacquie Hale and Carolyn Hom

Guests Corrine Pignatell and Jeff Tyrell.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

*** m/s/c to accept the minutes of the meeting of April 27, 1989 as read, the minutes not having been mailed out in advance of the meeting.

COMMUNICATIONS

To Members, Boards and Commissions, Department Heads from Burk E. Delventhal and Randy Riddle, Deputy City Attorneys, a memorandum dated April 24, 1989, regading Conflict of Interest laws with attached memorandum copies of opinions their office had issued that address significant Conflict of Interest issues. - Referred to the Administrative Committee.

From Pansy P. Waller, HRC Contract Compliance Officer, to MBE/WBE/LBEs and Interested Persons, urging attendance at and testifying before the May 8th meeting of the Governmental Operations Committee. FYI

To All Appointing Officers Responsible to a Board or Commission from Randall B. Smith, Executive Director, of the Health Service System, a memorandum received May 9, 1989, with the reminder that Commissioners are eligible for membership in the Health Service System and that the month of May is the open enrollment period - Referred to Administrative Committee.

A Flyer announcing May 6, 1989 as Community Service Day in San Francisco for a community center for the Alice B. Griffith Housing Project.

A Copy of a letter to Supervisor Jim Gonzalez from Carlos A. Quiroz, First Vice President, the Hispanic Chamber of Commerce, protesting the exclusion of Hispanics from the the bid preference provisions on prime construction contracts. - Referred to MBE/WBE/LBE Advisory Committee.

An Announcement of a Public Hearing, on Wednesday, June 28, 1989, on Public Demonstrations/Police/Civil Protection.

From Commissioner Isadore Pivnick, Chair, Youth and Education Committee, to invited participants and presentors, a letter dated May 11, 1989, conveying information and agenda for the Wednesday, May 17, 1989, community forum: "Youth and the Crack Epidemic"

CHAIRPERSON'S REPORT

Chair Lawrence B. Martin reported that he and Director Peter Jamero had been meeting with representative of the Mayor's Office, discussing the HRC's proposed General Fund budget. The Chair announced the additions to HRC's FY 89-90 budget:

1. Move the HRC offices into a new location;
2. Increase the salary of the Executive Director;
3. Deputy Director position; and
4. One full time support position: one half-time Commission Secretary and one-half time Secretary to the Director.

Director Jamero related that the budget is not official until signed off by the Mayor on or about May 25, 1989. The Mayor's Budget will then be submitted to the Board of Supervisors, where items can be deleted or reduced, but not added or increased. The Director observed that the Commission can thank its Chair for an excellent, committed, relentless job of promoting the HRC's budget priorities.

EXECUTIVE DIRECTOR'S REPORT

Director Peter M. Jamero was pleased to announce that on or about June 1, 1989, the HRC will have a Deputy Director on a transfer basis. Adelbert (Bert) Campbell, the head of the MBE Unit in the Purchasing Department, will assume that position. Mr. Campbell has been with Purchasing for approximately four to five years. Prior to that, he had been on the Chief Administrative Officer's staff. Mr. Campbell has extensive experience in health education administration. Director Jamero observed that Bert Campbell has a great deal to offer the HRC, based on his experience working with the City government and within the community.

Director Jamero related that the last of the weekly hearings held by the Governmental Operations Committee of the Board of Supervisors is scheduled for Monday, May 15, at 10:00 A.M. The Board of Supervisors is expected to have its first reading of the Ordinance on May 15, with final passage anticipated May 22. Commissioners will need to review and, subsequently, adopt the proposed Rules and Regulations for the MBE/WBE/LBE Ordinance - II, which is to take effect July 1, 1989.

The Human Services Committee of the Board of Supervisors will hold a hearing on the proposed Domestic Partnership legislation at its 2:00 P.M. Thursday, May 11, meeting.

STANDING COMMITTEES

LESBIAN/GAY ADVISORY

- Request approval to March as a Contingent in Lesbian/Gay Freedom Day Parade

Commissioner Chinn, in the absence of Commission Leonard Graff, formally requested participation of Commissioners in the June 25 Lesbian/Gay Freedom Day Parade. Commissioners are to call the HRC offices by Wednesday, May 17, to indicate whether or not they will be participating.

- Request Approval of letter to the San Francisco Chronicle regarding an opinion poll, which asked "Too Many Gays?"

A draft of a letter to the San Francisco Chronicle expressing concern with the survey question: "Are there too many Gays in the City ?" had been circulated in advance to the Commissioners. Commissioner Lockhart proposed several changes in wording. It was then

*** m/s/c that the Human Rights Commission adopt a letter, as revised, to the San Francisco Chronicle protesting the survey question: "Are there too many Gays in the City?" A full copy of this letter is attached to these Minutes.

- Committee Report

Norman Nickens, AIDS Discrimination Representative, provided background information on the Dutch citizen who was attending an AIDS Conference in San Francisco. He was detained in Minneapolis where his plane landed. Approximately a year and a half ago, the United States Immigration and Naturalization Service changed its regulations to exclude visitors as well as those immigrating who had tested HIV positive. Referring to the International AIDS Conference scheduled for June, 1990 in San Francisco, Mr. Nickens explained that over 10,000 are expected, of whom at least ten percent are likely to be HIV positive. Those who are attending the International AIDS Conference this June in Montreal are being invited to participate in the June 25 Lesbian/Gay Freedom Day Parade. Norm Nickens observed that there might be a vote by the delegates at the Conference to change the location of the 1990 Conference from San Francisco.

SOCIAL ISSUES/POLICE LIAISON

- Committee Report

Commissioner Sammon reported that the Committee held a special meeting May 9 and will hold its regular meeting Tuesday, May 23. Two more people are being considered for membership, raising the number on the Committee to about a dozen.

- Action in "Unfinished Business: Public Demonstrations" Public Hearing

The "Unfinished Business": Public Hearing as scheduled for Wednesday, June 28, from 6:00 P.M. to 10:00 P.M. in the State Building Auditorium, Room 1194, 350 McAllister. Commissioner Peter Sammon, relating that information and background papers on the public hearing had been drafted, observed that it was extremely important to keep open the lines of communication among the various groups invited to participate in the hearing.

EMPLOYMENT

- Action on Summer Youth Employment and Recreation Public Hearing

Commissioner Frankie Gillette summarized the May 4 meeting of the Employment Committee. As part of a continuing review of City employment resources, Eunice Elton, President of the Private Industry Council and a member of the Committee, made an excellent presentation on its services.

The second report was a discussion of working conditions in Chinatown sweat shops. This issue will be discussed in depth subsequently. The third presentation was a report by HRC Airport Liaison Kevin Williams on contract compliance monitoring of San Francisco International Airport contracts.

The final topic at the meeeting was the "San Francisco Cool: Summer Youth Employment and Recreation" Public Hearing. This hearing is scheduled for Wednesday, May 31, from 2:00 P.M. to 5:00 P.M. in the Department of Public Health Auditorium. The purpose of this hearing is to inform youth as to what resources are available this summer. A directory of summer jobs and recreation opportunities will be issued as a result of the hearing. Commissioner Frankie Gillette urged all Commissioners to attend this public hearing put on by the Employment Committee. Commissioners Lenore Chinn and Rosemarie Fernandez noted their unavailability for the hearing. Commissioner Gillette announced that a steering committee to plan the hearing will be meeting today (May 11) at 11:00 A.M. in Room 302, 101 Grove Street.

ADMINISTRATIVE

Adoption of Resolution of Commendation for the University of San Francisco Street Law Project

Commissioner Rosemarie Fernandez explained that copies of this Resolution had been mailed to Commissioners. Noting that the WHEREAS clauses were self explanatory, Commissioner Fernandez read THEREFORE BE IT RESOLVED clause: that the Human Rights Commission of San Francisco does hereby resolve and recognize the leadership role provided by the University of San Francisco and Thomas A. Nazario and the Street Law Project's efforts for the young people of our community and award this Human Rights Certificate of Merit.

It was then
*** m/s/c that the Human Rights Commission adopt a Resolution of Commendation for the University of San Francisco Street Law Project. A full copy of the Resolution is attached to these Minutes.

- Focus of Task Force for Revitalizing and Restructuring of the Commission and Committees

Commissioner Rosemarie Fernandez reported that this Task Force, chaired by Commissioner Lawrence Martin, held its initial meeting May 4, following the Administrative Committee meeting. The Director has been asked for staff input. Director Jamero reported that staff described the options available to the Commission in restructuring itself. This restructuring proposal is to be submitted to the Deputy City Attorney for review. Commissioner Fernandez explained that the current structure of seven standing committees is not in accordance with Sec. 12A.6. of Chapter 12A of the S.F. Administrative Code. The Director related that staff will be drafting a Mission Statement for the HRC to assist the Task Force. Commissioner Fernandez noted that the Task Force may not be able to meet its deadline of reporting within 60 days of its initial meeting.

- Planning for HRC's 25th Anniversary

Commissioner Rosemarie Fernandez and Don Hesse who is a member of the Friends of the Human Rights Commission (FHRC's) Board of Directors, reported on the plans for the twenty-fifth anniversary of the HRC which is scheduled for Thursday, July 27, in the City Hall Rotunda. A booklet is being prepared for the reception and will be available subsequently at the offices which will provide a description of HRC activities and accomplishments. FHRC is seeking donations to support this event.

Commissioner Lawrence Martin urged Commissioners to participate on one or more of the many FHRC committees. Much assistance is needed.

- Committee Report

Commissioner Fernandez related that adoption of the 1989 Guidelines' Commissioners and Standing Committee Responsibilities had been deferred until the June 1 meeting of the Administrative Committee.

Status reports were presented on the "Unfinished Business" and "San Francisco Cool" public hearings and the "Youth and the Crack Cocaine" forum.

Negotiations are continuing on the proposed Apprenticeship legislation. This legislation is calendared for the May 15 Board of Supervisors' meeting.

Deputy City Attorney Mara Rosales will make a presentation to the May 25 HRC meeting on the MBE/WBE/LBE Ordinance - II and the draft Rules and Regulations.

HOUSING AND URBAN DEVELOPMENT

Commissioner Karen Kai announced that there was no Housing and Urban Development Committee report.

MBE/WBE/LBE COMMUNITY ADVISORY

Commissioner May Jaber stated that there was no report.

YOUTH AND EDUCATION

- Action on Crack Epidemic in San Francisco: "Its Impact on Youth" Community Forum/Public Hearing

Committee Vice Chair Commissioner Karen Kai, in the absence of Commissioner Isadore Pivnick, called upon Norman Nickens, lead person for the Youth and Education Committee Forum on Youth and Crack Cocaine.

Mr. Nickens announced that the Forum will be Wednesday, May 17, from 3:00 P.M. to 6:00 P.M. in Conference Room 110-B of the Veterans' Building, 401 Van Ness Avenue. The topics are: 1. Human Rights Commission Introduction; 2. Medical Overview of Crack Epidemic, 3. Socio-Economic Overview; 4. Overview of Existing Services; 5. Review of Impact on Youth: role of the schools, employment issues, impact on the family, criminal justice, and role of community-based organizations; and 6. Role of the Human Rights Commission- open discussion. Norm Nickens stated that speakers for all of these topics were confirmed and approximately 25 to 30 people, in addition, have been invited to participate.

NEW MATTERS

There were no new matters.

CALENDAR MATTERS

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, June 1, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, June 1, 1989 9:30 A.M. First Nationwide Bank 706 Mission St., 1st Floor
HOUSING AND URBAN DEVELOPMENT	Tuesday, May 23, 1989 3:30 P.M. Room 1159, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, May 16, 1989 5:30 P.M. Room 1200, State Building 350 McAllister Street

MBE/WBE/LBE Advisory	To be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, May 23, 1989 9:00 A.M. Room 1200, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, May 18, 1989 3:30 P.M. Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin at 10:05 A.M.

The orientation session was convened by Chairperson Martin at 10:15 A.M. and adjourned by him at 10:53 A.M.

The agenda for this orientation session is reproduced herein:

1. Lesbian/Gay/AIDS/ARC Unit
    - AIDS/ARC Issues
2. Commission's Role in complaint process
3. Administration
    A. Budget Overview
        1. Funding Service
            a. General Fund
            b. Work Order
                1) Clean Water Program
                2) S.F. Port Commission
                3) SFIA
            c. OCD
        2. Calendar & pre cycle
    B. Personnel Process
        1. Position in Salary Ordinance
        2. Requisition and Appointment Process
        3. NCS (Non Civil Service) - Limited Tenure-Permanent: Rule 3
        4. Evaluations
        5. Compensation and Benefits
        6. Comp Time
    C. HRC Policies and Procedures
        - Positions on State Legislation
        - HRC Policies

Respectfully submitted,

Peter M. Jamero
Executive Director

via Gail P. Roberts
Interim Commission Secretary

PMJ:GPR:np
[HRC/Min]CORR3
5/22/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

May 17, 1989

Mr. Richard T. Thieriot
Editor and Publisher
San Francisco Chronicle
Fifth and Mission
San Francisco, CA

Dear Mr. Thieriot:

The San Francisco Chronicle's recent opinion poll regarding how San Francisco is viewed was brought to the attention of the Human Rights Commission at its meeting of May 11, 1989 by its Lesbian/Gay Advisory Committee. The Commission and the Committee take strong issue with the portion of your story sub-headed "Perceptions of Gays."

The question: "How Much Do these Descriptions Apply to Your City . . . Too many gays?" is especially disturbing because it invites negative responses and is thus irresponsible poll-taking. Would you have asked the question: "Too many Hispanics?" By posing the question as "too many" you actively foster bias. Indeed, by even singling out Gay people you show bias.

Lesbians and Gay men face discrimination, harassment, and violence, and you must take responsibility for your part in diminising their humanity by the homophobic wording in your poll. We hope that in the future your publication will afford Lesbians and Gay men the respect they deserve as a people.

We urge you to publish an apology.

Sincerely,

Lawrence B. Martin
Chairperson

LBM:JW:ad

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

MBE/WBE/LBE Advisory	To be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, May 23, 1989 9:00 A.M. Room 1200, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, May 18, 1989

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

RECOMMENDATION FOR THE UNIVERSITY OF SAN FRANCISCO
STREET LAW PROJECT

WHEREAS: The University of San Francisco Street Law Project has sought to reach out and work with disadvantaged Bay Area youth to deliver information about their basic legal rights; and;

WHEREAS: Thomas A. Nazario, Esq., School of Law, University of San Francisco has provided leadership in San Francisco as Director of Community Legal Education; and:

WHEREAS; Over 25,000 youth have been exposed to the program over the last thirteen years; and:

WHEREAS: this program has grown from service in three Bay Area high schools to one which today services forty-one high schools and nineteen middle schools, and:

WHEREAS: the University of San Francisco Street Law Project has always sought to work with young people most at risk by providing them with internships at legal agencies, coordinating field trips to the courts and jails, and impressing on them the need to respect the human rights of others in our community.

THEREFORE: BE IT RESOLVED THAT the Human Rights Commission of San Francisco, does hereby resolve and recognize the leadership role provided by the University of San Francisco and Thomas A. Nazario and the Street Law Project's efforts for the young people of our community and award this Human Rights Certificate of Merit.

Resolution #5-89
Adopted by the HRC
5/11/89

IP:GPR:bct
5/8/89

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

MBE/WBE/LBE Advisory	To be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, May 23, 1989 9:00 A.M. Room 1200, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, May 18, 1989

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

AGENDA

Thursday, May 25, 1989
Department of Public Health
101 Grove Street, Room 300 - 3rd Floor
Time: 9:00 A.M.

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1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeting of Thursday, May 11, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

    ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson
    A.) Newly-enacted MBE/WBE/LBE Ordinance and implementing draft of Rules and Regulations: Deputy City Attorney Mara Rosales

    LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson
    A.) Requested for HRC endorsement of Domestic Partners Ordinance, Article 40.
    B.) Committee Report.

    YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson
    A.) Report: Youth and Education Committee Forum on Youth and Crack Cocaine.
    B.) Request for Endorsement of Coleman Advocates' Youth Budget.
    C.) Report on Special Education Presentation

    EMPLOYMENT: Commissioner Frankie Gillette, Chairperson
    A.) Status Report: "San Francisco Cool" Summer Youth Employment and Recreation Public Hearing

    SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson
    A.) Status Report: "Unfinished Business: Police/Demonstrations" Public Hearing.

    HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson
    A.) Committee Report

    MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson
    No Report.

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

Note: Mayor Agnos has scheduled a signing ceremony of the recently passed MBE/WBE/LBE Ordinance. We will interrupt our agenda and join in the ceremony at the appointed time.

PMJ:GPR:np:se
AGENDA[PLN]

15) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, May 25, 1989

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NEXT MEETING

DATE: Thursday, June 8, 1989
TIME: 9:00 A.M.
PLACE: Room 300 (Auditorium),
Department of Public Health
101 Grove Street

The meeting was called to order by Chair Commissioner Lawrence B. Martin at 9:02 A.M.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), and Isadore Pivnick.

Excused: Peter Sammon

HRC Staff Peter M. Jamero (Executive Director), Frank Anderson, Don Hesse, Ed Ilumin, Nat Mason, Norm Nickens, Richard Norton, and Gail P. Roberts.

Guests Adelbert Campbell, HRC Deputy Director designee, Jean Harris, Supervisor Harry Britt's Office, Daniel Helsel, New College School of Law student, and Mark Nedlin, San Francisco State University student.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

*** m/s/c to accept the minutes of the meeting of May 11, 1989, as amended, by the addition to Director Jamero's remarks as part of the Chairperson's Report, that the Finance Committee's Hearing on the HRC budget is scheduled for June 15, 1989. The Minutes were read as these were not mailed out in advance of the meeting.

COMMUNICATIONS

To Commissioner Lawrence Martin, Chair of the Human Rights Commission, from Sandy Ouye Mori, Secretary to the Health Commission, a letter dated May 12, 1989, inviting a member of the HRC to participate in the Joint Commission Hearing on Monday, June 12, 1989 from 4:00 P.M. to 7:00 P.M.

To All Appointing Officers, Departmental Personnel Officers from John J. Walsh, General Manager, Personnel, a memorandum received May 18, 1989, requesting departmental data specifying the number of sexual harrassment claims filed and the number pending for fiscal year 1988-89.

From Bob Prentice, Mayor's Office Coordinator of Homeless Programs to Don Hesse, Human Rights Commission, and six other addressees, a memorandum received May 15, 1989, announcing a planning session on homeless families on Wednesday, May 24, from 1:00 P.M. - 5:00 P.M. at the First Unitarian Church.

To Don Hesse, HRC Coordinator, Fair Housing, from John P. Relman, Lawyers' Committee for Civil Rights Under Law, a letter received May 15, 1989, inviting him to meet to explore the possibility of establishing a national fair housing project.

To Commissioner Lawrence B. Martin, Chair, from Roger Tom, Program Director, Department of Instructional Improvement and Staff Development, San Francisco Unified School District, a letter received May 19, 1989, responding to the HRC's Resolution on the issue of textbooks and the internment of Japanese Americans.

To Chairperson Lawrence B. Martin from Ernie Lowe, a letter received May 1, 1989, submitting his letter of resignation from the MBE/WBE/LBE Advisory Committee in response to the City Attorney's Conflict of Interest Opinion.

To Chairperson Lawrence B. Martin from James P. Jefferson, a letter received May 1, 1989, submitting his letter of resignation from the MBE/WBE/LBE Advisory Committee in response to the City Attorney's Conflict of Interest Opinion.

To Chairperson Lawrence B. Martin from Shirley S. Dimapilis, a letter received May 3, 1989, stating that she sold her business and that she serves as a representative of the Filipino Community on the MBE/WBE/LBE Advisory Committee.

To Chairperson Lawrence B. Martin from Sylvia P. Kwan, a letter received May 4, 1989, submitting her letter of resignation from the MBE/WBE/LBE Advisory Committee in response to the City Attorney's Conflict of Interest Opinion.

To Peter Jamero, Director, from Commissioner Isadore Pivnick, a letter dated May 22, 1989, thanking him and Gail Roberts, Norm Nickens, and James Fields for the staging of the Youth and Education Committee Forum on the Crack Epidemic with a minimum of days available to carry out the necessary logistics.

A copy of a letter to Richard Otter, President, Board of Directors, Recreation Center for the Handicapped, from David H. Neely, Commissioner, Social Services Commission, received May 23, 1989, notification that he will seek immediate termination of the $1.2 million contract between the Department of Social Services and the Recreation Center for the Handicapped if their Board does not immediately stop its discrimination against HIV-positive children and adults in the use of its warm-water pool.

CHAIRPERSON'S REPORT

There was no report by the Chairperson.

EXECUTIVE DIRECTOR'S REPORT

Director Peter M. Jamero announced that Domestic Partnership legislation was passed for its first reading by the Board of Supervisors May 22, 1989.

The MBE/WBE/LBE Ordinance-II passed the Board of Supervisors unanimously on May 22, 1989. Deputy City Attorney Mara Rosales is expected shortly to discuss the newly-enacted Ordinance.

Apprenticeship legislation was postponed for another month.

The annual CAHRO (California Association of Human Relations Organizations) Conference was held in Concord May 4, 5, and 6. Frank Anderson attended the first day, while the Director was in attendance thereafter. At its business meeting May 6, CAHRO adopted a resolution in opposition to SHAPE (Stop Homosexual Advocacy in Public Education), authored by the City of Richmond Human Relations Commission and similar to the one adopted earlier by the HRC. Director Jamero observed that, from his point of view, CAHRO was a significant conference, providing his first opportunity to meet with representatives of other commissions, particularly those in Northern California.

STANDING COMMITTEES

ADMINISTRATIVE

- Newly-enacted MBE/WBE/LBE Ordinance and implementing draft of Rules and Regulations

This item was deferred, pending the arrival of Deputy City Attorney Mara Rosales.

LESBIAN/GAY ADVISORY

- Request for HRC Endorsement of Domestic Partners Ordinance, Article 40

Commissioner Graff, on behalf of the Lesbian/Gay Advisory Committee, requested endorsement of Domestic Partnership legislation, noting that nine Supervisors co-sponsored Article 40, which passed unanimously its first reading May 22, 1989.

It was then

xxx m/s/c that the Human Rights Commission, on the recommendation of its Lesbian/Gay Advisory Committee, endorse Article 40 of the San Francisco Police Code: Amending Police Code to add Article 40 prohibiting discrimination against domestic partners by City and County; providing procedures to establish and to give notice of termination of domestic partnerships, and prohibitng discrimination in hospital visitation rights.

Jean Harris of Supervisor Harry Britt's Office distributed copies of Article 40 and of legislation urging the Mayor to form a task force to examine feasibility of extending health benefits to domestic partners of city employees.

- Committee Report

The committee report was deferred due to the absence of the Lesbian/Gay Unit staff.

YOUTH AND EDUCATION

- Report: Youth and Education Forum on Youth and Crack Cocaine

Commissioner Pivnick, observing that he had already written the Director expressing his appreciation for the excellent staff work, thanked those who had participated in the Forum. Commissioner Pivnick relatd how much he had learned from the Forum.

Commissioner Gillette commended the Youth and Education Committee for conducting an outstanding forum.

- Request for Endorsement of Coleman Advocates' Youth Budget

Commissioner Pivnick stated that the concept of a Youth or Children's Budget Proposal was excellent; however, the Committee had raised concerns about particular elements contained in the budget. He then read the memorandum which had been mailed in advance to Commissioners.

It was then

xxx m/s/c that the Human Rights Commission adopt the statement by Youth and Education Committee endorsing in principle the concept contained in the

Children's Budget Proposal provided by the Coleman Advocates. Further, that it be suggested to Mayor Art Agnos that the concept of reviewing a budget proposed to serve children is new, includes preventive measures in addition to corrective ones, and is, therefore, a step in the right direction.

It is important to note that there were some concerns expressed about specific recommendations, i.e.,

(1) Transferring responsibility for Log Cabin Ranch to a private non-profit agency.
(2) Redeploying 25 police officers to youth related activities.
(3) Redeploying Senior Escort staff to street patrol for Tenderloin Youth.
(4) Transferring funds for 10 gardeners to funds for 10 recreation workers.

Commissioner Lockhart inquired if the Youth and Education Committee envisions an opportunity to dialogue with Coleman Advocates regarding their concerns on the proposed Children's Budget. Commissioner Pivnick responded that the Committee would welcome such an opportunity.

- Report on Special Education Presentation

Commissioner Pivnick reported that Dr. Susan Kwock, Director of Special Education, and her staff attended the May 18, 1989 meeting of the Youth and Education Committee. The Committee was pleased with some of the positive steps taken by her staff since the last meeting.

The Youth and Education Committee suggested to Dr. Kwock that pupils who have "crack" related problems have special needs. The Committee was particularly interested in the area of admission to and demission from Special Education.

It appeared that some of the questions raised were not under Dr. Kwock's supervision, but, rather, were under the area of Pupil Services, Dr. Ana Horta's area of responsibility. Dr. Ana Horta will be invited early next semester to address the Committee.

EMPLOYMENT

- Status Report: "San Francisco Cool" Summer Youth Employment and Recreation Public Hearing

Commissioner Gillette announced that the Employment Committee will meet June 1 and will evaluate the public hearing held the previous day. Commissioner Gillette then called upon Frank Anderson, lead person for this public hearing.

Frank Anderson reported that the hearing will be held from 2:00 P.M. to 5:00 P.M. in the Department of Public Health Auditorium, 101 Grove Street. Mr. Anderson observed that San Francisco needs a positive, productive summer. It is anticipated that the HRC will obtain information at the hearing and, subsequently, will distribute, in large quantities, an informational brochure containing, among other things, a central phone number for job openings.

SOCIAL ISSUES/POLICE LIAISON

- Status Report: "Unfinished Business: Police /Demonstrations" Public Hearing

Vice Chair Commissioner Lockhart, in the absence of Commissioner Sammon, reported that planning for the "Unfinished Business: Police/Demonstrations" Public Hearing is progressing. Letters of invitation will be mailed in the near future. The Committee has been discussing how to have testimony presented in such a way as to give all in attendance an opportunity to present without intimidating or "turning off" the other point of view. There will be time limits for speakers. Using the same system as was in place for the Domestic Partnership Hearing, there will be a lottery, drawing speakers if there is more public testimony than time permits.

Commissioner Lockhart noted that the Social Issues/Police Liaison Committee met Tuesday, May 23, and will meet again Wednesday, June 7, at 9:00 A.M. The membership of the Committee is growing, related Commissioner Lockhart.

HOUSING AND URBAN DEVELOPMENT

- Committee Report

Commissioner Kai reported that the Housing and Urban Development Committee met May 23, 1989 and will meet again Tuesday, June 27, at 3:30 P.M. in Room 1159 of 350 McAllister. The Committee is putting together everything they have assembled on the homeless and are focusing on the role of the HRC, centering on areas of discrimination against the homeless.

MBE/WBE/LBE COMMUNITY ADVISORY

Commissioner Jaber announced that the MBE/WBE/LBE Community Advisory Committee had no report.

ADMINISTRATIVE

- Newly-enacted MBE/WBE/LBE Ordinance and implementing draft of Rules and Regulations

Commissioner Fernandez introduced Deputy City Attorney Mara Rosales who gave an overview of MBE/WBE/LBE Ordinance-II, which will take effect July 1, 1989. The bid preference applies only to local businesses; however, local MBEs/WBEs receive 10 percent, while local majority firms get 5 percent bid preference. The set aside provision, which limits competition, has been deleted. City-wide goals have been replaced by separate numerical goals for ethnic groups within specific contract areas. In the previous Ordinance, all for-profit contracts were covered. This is no longer true. All construction contracts and all those in Purchasing, except for diesel fuel, are covered. General service categories are mostly included as are some categories of professional services contracts. As for ethnic groups, Native American Indians are no longer included. "Hispanic" has been changed to "Latino" and European Spanish have been deleted from the category. Only economically disadvantaged firms, whatever the ethnicity, qualify for the program.

Commissioner Fernandez observed that historical discrimination, the U.S. Supreme Court ruled, is no longer sufficient justification for the inclusion of a given ethnic group. Current, actual testimony must be submitted.

Deputy City Attorney Rosales described the new reporting system. The Director is to report quarterly to the Commission, while departments are to report annually to the Mayor for the fiscal year. The Controller will be providing data to the HRC. The HRC is to report annually to the Board of Supervisors which may make changes in the Ordinance at that time.

Deputy City Attorney Rosales will be drafting the Rules and Regulations, implementing the Ordinance. Director Jamero distributed copies of the time line for adoption of the Rules and Regulations; a copy of this memorandum is attached to these Minutes.

Commissioner Fernandez inquired as to the sanctions which could be applied in the event of noncompliance by departmental staff. Deputy City Attorney Rosales responded that the City Charter severely limits the power to sanction departmental representatives as departments have vested power. Commissioner Fernandez requested that the Rules and Regulations specify that the HRC is to investigate and to recommend disciplinary action as appropriate. Director Jamero related that the Mayor considers that it is his responsibility and that of the departments to take this Ordinance seriously and to ensure that it is enforced.

While contractors and HRC staff have described incidents of harassment by departmental personnel, Mara Rosales stated that she is only aware of one incident which occurred approximately one year ago and was handled internally by that department.

Commissioner Lockhart observed that the issue of noncompliance by departmental personnel was really a political issue and she requested that this issue be placed in the agenda for a subsequent meeting.

Commissioner Lockhart inquired as to why numerical goals were not included in the Ordinance. Deputy City Attorney Rosales related that this was done to avoid confusion; however, the data on which the goals are to be based is included in the Appendix. Mara Rosales stated that the HRC is to collect data for categories not covered by the Ordinance as well as for those which are covered because not-covered categories may subsequently be included.

Commissioner Lockhart, on behalf of the Commission, complimented Deputy City Attorney Mara Rosales on the exemplary clarity and forthrightness of the Ordinance.

Director Jamero drew Commissioners' attention to the time line which had been distributed, noting that the Commission meeting scheduled for June 22 at 4:00 P.M. because of the public hearing on Youth and Crack Cocaine which had been set for 6:00 P.M. on that date had been changed to 9:00 A.M. Commissioner Martin inquired if there were any objections to the change.

It was then

xxx m/s/c that the Human Rights Commission holds its June 22 meeting at 9:00 A.M. with a public hearing on the Rules and Regulations implementing the MBE/WBE/LBE Ordinance-II to be set for 10:00 A.M. to 12:30 P.M.

NEW MATTERS

Commissioner Pivnick summarized the memorandum from the Chair of the Youth and Education Committee to the Commissioners on the development of the Commission response to the Crack Epidemic, which was distributed during this meeting.

The Commission had cancelled the public hearing scheduled for June 22, 1989 and no subsequent hearings are to be calendared at this time.

Commission Pivnick expressed interest in taping the resources involved in the Forum. A public hearing would be duplicative and unproductive at this time. Commissioner Pivnick would like to meet with the Director and his staff to develop specific areas for meetings of focus groups.

CALENDAR MATTERS

Commissioner Fernandez announced that the Commissioners' Task Force will be meeting at 5:00 P.M. Thursday, June 1, 1989 in the HRC Offices, following the meeting of the Administrative Committee.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, June 1, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street

EMPLOYMENT	Thursday, June 1, 1989 9:30 A.M. First Nationwide Bank 706 Mission Street, First Floor
HOUSING AND URBAN DEVELOPMENT	Tuesday, June 27, 1989 3:30 P.M. Room 1159, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, June 20, 1989 5:30 P.M. Room 1200, State Building 350 McAllister Street
MBE/WBE/LBE COMMUNITY ADVISORY	To be announced
SOCIAL ISSUES/POLICE LIAISON	Wednesday, June 7, 1989 9:00 A.M. Room 1200, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, June 15, 1989 3:30 P.M. Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin at 10:20 A.M.

Respectfully submitted,

Peter M. Jamero
Executive Director

via Gail P. Roberts
Interim Commission Secretary

PMJ:GPR:se:np
[HRC/Min]CORR3
6/1/89

MEMORANDUM

From the Office of the
HUMAN RIGHTS COMMISSION

1095 Market Street - #501
San Francisco 94103
558-4901

Date: May 25, 1989

TO: Department Heads/Contract Awarding Officials

FROM: Peter M. Jamero
Executive Director

RE: Implementation of 1989 MBE/WBE/LBE Ordinance

As key players in the City's MBE/WBE/LBE Program, I would like to provide this update on our plans to implement the new Ordinance.

The Board of Supervisors unanimously passed the MBE/WBE/LBE Ordinance on May 22. It is anticipated that the Mayor will be signing this legislation in the next few days. The Ordinance, Chapter 12D of the San Francisco Administrative Code, will take effect July 1, 1989. The Ordinance calls for implementing Rules and Regulations to be adopted by June 22.

An initial draft of implenting Rules and Regulations has been prepared under the lead of Deputy City Attorney, Mara Rosales. The Human Rights Commission is committed towards providing appropriate input into the review process and is seeking departmental, business, and community comment to the draft Rules and Regulations.

In order to provide sufficient time for careful review of the draft Rules and Regulations, the HRC is proposing the following time lines:

Friday, June 2, 1989 9 A.M.	Disseminate First Draft, Rules and Regulations to departments requesting comment.
Thursday, June 8 9 A.M.	HRC Commission Meeting and Public Hearing Auditorium, Room 300, DPH 101 Grove Street San Francisco, CA 94103
Friday, June 16	Final day for written responses submitted Draft of Rules and Regulations

Thursday, June 22 9 A.M.	HRC Commission Meeting and Public Hearing leading to adoption of Rules and Regulations Auditorium, Room 300, DPH San Francisco, CA 94103
Monday, June 26	Disseminate final version of Rules and Regulations to departments
Wednesday, June 28	Departmental Orientation Session hosted by the City's Affirmative Action Task Force.

Note that you may choose to provide testimony at the June 8 public hearing, to put your comments in writing no later than June 16, or do both.

We look forward to working together to develop clear and comprehensive Rules and Regulations for MBE/WBE/LBE Ordinance II.

'MJ:GPR:pa
memos]KP2-86/87

ty and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

AGENDA

Thursday, June 8, 1989
Department of Public Health
101 Grove Street, Room 300 - 3rd Floor
Time: 9:00 A.M.

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1. Roll Call
2. Pledge of Allegiance
3. Minutes of the Meeting of Thursday, May 25, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

A. Request for Adoption of 1989 Guidelines' Commissioners and Standing Committee Responsibilities

B. Committee Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

A. Report: "San Francisco is Cool" Summer Youth Employment and Recreation Public Hearing

B. Committee Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A. Updated on Public Hearing Police/Citizen Participation in Demonstrations

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A. Updated on "Youth and Crack Cocaine"

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

A. Committee Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Committee Report

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

A. Public Testimony on the Proposed Rules and Regulations Implementing the MBE/WBE/LBE Ordinance II

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

15) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, June 8, 1989

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NEXT REGULAR MEETING

DATE: Thursday, June 22, 1989
TIME: 9:00 A.M.
PLACE: Room 300 (Auditorium)
Department of Public Health
101 Grove Street

The meeting was called to order by Vice Chair Commissioner Rosemarie Fernandez, in the absence of Chair Lawrence B. Martin, at 9:08 A.M.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez (presiding), Frankie Gillette, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin, and Peter Sammon.

Excused: Leonard Graff and Isadore Pivnick.

HRC Staff Peter M. Jamero (Executive Director), Frank Anderson, Adelbert Campbell, Linda Chin, Don Hesse, Ed Ilumin, Nat Mason, Richard Norton, Gail P. Roberts, Carmen Smith, J. David Treanor, Pansy P. Waller, and Gary Wong.

Guests Nathaniel Berkowitz, Grant Building Owner; Harold Brooks Jr., Harold House Corp, Inc; Michelle Brown, Business Development, M.C.; Carlos A. Chavez, Purchasing Department; Lt. Jan Dempsey, Sheriff's Department; Beverly Johnson; Ben Kawamura, Purchasing Department; Frank J. Mangold, PUC/UED; Audrey Oliver, CAO; and R.B. Selby, Malaco, Int., Inc.

A quorum of Commissioners was present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

*** m/s/c to accept the minutes of the meeting of May 25, 1989, as mailed, with two amendments: 1. Page 3: substitute Commissioner Chinn for Graff under Lesbian/Gay Advisory; and 2. Page 6: add following the first paragraph: Commissioner Fernandez and Lockhart discussed the role of the Executive Director of HRC in enforcing the ordinances. The action to accept the Minutes was on the motion of Commissioner Chinn and seconded by Commissioner Sammon.

COMMUNICATIONS

To Peter Jamero, Executive Director, from Commissioner Isadore Pivnick, a letter received May 31, 1989, thanking him for attending the May 25 Cable Car luncheon honoring outstanding students in the San Francisco Public Schools and expressing his conviction that San Francisco has a good school system.

To Adelbert L. Campbell, Deputy Director, from Supervisor Willie B. Kennedy, a letter received May 31, 1989, conveying her most sincere congratulations on his appointment.

To Lawrence Martin, Chair, and Stephen Parrish, Attorney for Respondent, from Regina A. Sneed, Hearing Officer in the case of Harris vs. St. Francis Hospital, a memorandum received May 31, 1989, noting that she has been appointed hearing officer in this case.

To Peter Jamero, Executive Director, from Genie Sevilla, Pilipino American Alliance, a letter received May 31, 1989, conveying appreciation for his participation as keynote speaker at the University of California, Berkeley's Pilipino Graduation Ceremony on May 26.

To Margery Levy, Chair, Affirmative Action Advisory Committee, San Francisco Unified School District, from Peter M. Jamero, Executive Director, a letter dated June 5, 1989, appointing Gail P. Roberts as the HRC representative to this Committee.

To Sandy Ouye Mori, Secretary to the Health Commission, from Lawrence B. Martin, Chair, a letter dated June 2, 1989, conveying that HRC will, in response to their invitation, participate in the June 12 Joint Commission Hearing, with Chair Martin serving as a member of the eight Commission panel and Director Jamero presenting the HRC's testimony.

To Gail P. Roberts, Coordinator, from Michael Reisch, Ph.D., Director, and Greta G. Glugoshi, Ed.D., Graduate Field Work Director, San Francisco State University Department of Social Work Education, expressing appreciation for her work as a field instructor during the 1988-89 academic year.

From Peter M. Jamero, Executive Director, to NAPCRO (National Association of Police Community Relations Officers) a letter dated June 5, 1989, welcoming delegates to the Twentieth Annual Training Conference which the HRC is co-hosting.

To Members and Staff to the Human Rights Commission, from Vicky Zimpel, Senior Contract Compliance Officer, a memorandum dated May 24, 1989, describing in detail the major changes in the new L/M/WBE Ordinance.

CHAIRPERSON'S REPORT

In the absence of Commissioner Martin, there was no report by the Chairperson.

EXECUTIVE DIRECTOR'S REPORT

Director Peter M. Jamero reported that the Mayor's Budget was submitted to the Board of Supervisors during the previous week. The HRC hearing before the Finance Committee is set for Thursday, June 15, at 1:30 P.M. HRC is the second department scheduled. All Commissioners are urged to attend.

The owners of the Grant Building, the location of the HRC offices, have offerred to reduce HRC's rent for Fiscal Year 1989-90 and have made a number of other proposals to entice the HRC to remain as tenants. The Administrative Committee, at its 6/1/89 meeting, heard of the owner's full proposal and reaffirmed the decision to move. The June 7 letter to the Grant Building Owners conveyed this response.

This has been an important time for ordinances impacting the HRC, observed the Director. The MBE/WBE/LBE Ordinance II was signed by the Mayor May 30, while the Domestic Partnership Ordinance, Article 40 of the Police Code, was signed June 5.

Director Jamero introduced and welcomed Deputy Director Adelbert (Bert) Campbell, who assumed his duties June 5.

The Director explained that Senate Bill 737, which would designate the State Department of Transportation as the only state or local agency for the certification of minority and women businesses, was heard by the Governmental

Operations Committee of the Board of Supervisors at its June 5 meeting. They acted favorably upon a proposed amendment which would exempt San Francisco and permit the HRC's certification process to continue.

Noting that Saturday, June 10, will be his 100th day as Executive Director, Peter Jamero took this opportunity to discuss the progress towards meeting three short term objectives. The first of these is the aggressive pursuit of HRC's priorities. The MBE/WBE/LBE Ordinance and the Domestic Partnership Ordinance have been signed into law by the Mayor and the HRC budget, including funds for priority items, has been submitted by the Mayor to the Board of Supervisors. Secondly, it has been important for the newly appointed Director to meet with HRC Commissioners and staff, members of the Board of Supervisors, department heads, and community representatives. While this process has been extremely time consuming, Director Jamero observed that it has been very worthwhile and rewarding. The third short term objective has been to begin to set the organizational tone for HRC. Structurally, he has clarified lines of reporting, spread management, and enhanced communication with the establishment of regular conferences between supervisor and supervisees and the distribution of policy/procedure bulletins. Management staff is developing a work plan and establishing priorities. There is beginning to be a focus on the internal management of the agency including how support services are provided.

STANDING COMMITTEES

Acting Chairperson Fernandez requested a motion to change the order of the agenda. On motion by Commissioner Sammon and seconded by Commissioner Bermudez, it was

***m/s/c to move the MBE/WBE/LBE Community Advisory Committee to the first item under Standing Committees.

MBE/WBE/LBE COMMUNITY ADVISORY

- Public Testimony on the Proposed Rules and Regulations Implementing the MBE/WBE/LBE Ordinance II

Commissioner Jaber called upon Director Jamero, who summarized the process involving the Rules and Regulations. The MBE/WBE/LBE Ordinance II was mailed May 19, 1989. The time line for adoption of the Rules and Regulations was developed May 25, 1989 and distributed. That time line called for the first draft to be available June 2, 1989; however, there was a delay of one working day. On June 5, 1989 copies were hand delivered to departments and to two Commissioners, while those to the remaining Commissioners were mailed. An extensive mailing to interested parties went out June 6. The time line called for public hearings on June 8 and June 22, with adoption scheduled for June 22.

General discussion ensued as to the delay in public notice and the process for submitting input. It was then

***m/s/c, on the motion of Commissioner Jaber and the second of Commissioner Chinn, that the Human Rights Commission not accept any public testimony today (June 8) on the proposed Rules and Regulations Implementing the MBE/WBE/LBE Ordinance II and that a public hearing be held Thursday, June 15, 1989, at 9 A.M. in the Department of Public Health Auditorium. Acting Chair Fernandez announced that, in addition to the public hearing scheduled for June 15, public testimony on the proposed Rules and Regulations will be the first Standing Committee item on the agenda for the June 22 regular Commission meeting.

Commissioner Fernandez called upon Deputy City Attorney Mara Rosales to provide an overview of the proposed Rules and Regulations for the Commissioners. She related that these proposed Rules and Regulations would repeal all previous Rules and Regulations. The initial MBE/WBE/LBE Ordinance was general in scope, while its Rules and

Regulations were very specific. The second Ordinance itself is very specific and the Rules and Regulations will only supplement. An example is that the definitions contained in the Ordinance are not repeated in the Rules and Regulations. The exception to this was the departmental responsibilities which were specified in the Ordinance and repeated in the Rules and Regulations. One new aspect of the second Ordinance is that if contractors are of the opinion that their area is not to be covered, they are to deal administratively with the HRC prior to filing a lawsuit. Ms. Rosales noted that power to award liquidated damages is in the first Ordinance and she is in the process of reviewing this issue in depth.

Commissioner Sammon inquired about the Port contract on which the second low bidder protested. Deputy City Attorney Rosales responded that departments are to ask two questions of each contract: are federal funds involved and is the local ordinance preempted? Some departments only ask the first question, when both must be asked.

ADMINISTRATIVE

- Request for Adoption of 1989 Guidelines: Commissioner and Standing Committee Responsibilities

Commissioner Fernandez explained that these proposed Guidelines had been discussed in detail by the Administrative Committee. Commissioner Lockhart questioned: "6. Chairpersons are to approve the Standing Committee agenda developed by the Committee staff." Does the Commissioner Chair have to approve? Commissioner Gillette inquired if the agendas are to be developed jointly by the Chair and staff. She proposed the following wording: "In conjunction with the Chairperson, the Committee staffer is to develop agenda items for the standing committee." Following further discussion, it was proposed to add an additional sentence: "Agenda items added by the Committee staffer are subject to the approval by the Chairperson of the Standing Committee."

Discussion ensued regarding "2" on page 2 regarding the responsibility to notify if a meeting has to be cancelled on short notice. The response was: "to the best of your ability".

Commissioner Sammon called the question. It was then

***m/s/c, on the motion of Commissioner Sammon and second by Commissioner Chinn, that the Human Rights Commission adopt the 1989 Guidelines: Commissioner and Standing Committee Responsibilities as amended, deleting "6. Chairpersons are to approve the Standing Committee agenda developed by the Committee staff." and substituting "6. In conjunction with the Chairperson, the Committee staffer is to develop agenda items for the standing committees. Agenda items added by the Committee staffer are subject to the approval by the Chairperson of the Standing Committee."

Acting Chair Commissioner Rosemarie Fernandez reported that the Administrative Committee was without minutes for its meetings of April, May, and June and that this was a serious omission. Commissioner Fernandez requested of the Director that he instruct staff to prepare minutes.

The Administrative Committee, at its June 1, 1989 meeting had a lengthy discussion of HRC's FY89-90 budget. The June 15 hearing before the Finance Committee had been noted previously. The rationale for the budget priorities and accompanying strategy were discussed in depth. Staff was to amend materials submitted, adding a needs assessment to the listing of job duties. Commissioner Fernandez observed that the Commission needs to have submitted to it, for its approval, a job description for the position of Deputy Director.

Commissioner Fernandez noted that Senior Contract Compliance Officer Vicky Zimpel had prepared a memorandum describing the changes in the new L/M/WBE Ordinance, copies of which were circulated to Commissioners.

Commissioner Sammon reported to the Administrative Committee on the "San Francisco is Cool": Summer Youth Employment and Recreation Public Hearing held May 31 and on the planning for the "Unfinished Business: Police and Citizen Participation in Public Demonstrations" Public Hearing. Commissioner Kai summarized Commissioner Pivnick's memorandum on the Youth and the Crack Epidemic Forum held May 17, 1989.

Commissioner Lockhart supported Commissioner Fernandez's request for minutes of the Administrative Committee. She urged her fellow Commissioners to attend the June 15 Finance Committee hearing on HRC's budget. Commissioner Lockhart observed that the HRC had outgrown its offices at 1095 Market Street. She recommended that speakers avoid generalities and include limited statistics to emphasize their points.

EMPLOYMENT

- Report: "San Francisco is Cool" Summer Youth Employment and Recreation Public Hearing

Commissioner Gillette, observing that their post-hearing evaluation session had yet to take place, reported that the May 31 Public Hearing had 15 testifiers including Supervisor Jim Gonzales, two Deputy Mayors, and a representative of Assembly Speaker Willie Brown's office. Initially, it was planned to collect lists of resources and to publish a directory. Based on the testimony presented, it was decided that issuing a directory now would not be useful. Commissioner Gillette related that an extensive narrative report on the hearing is to be prepared and she wondered if an outside consultant could be employed.

Commissioner Gillette thanked all those Commissioners who participated and thanked the Director and his staff for their work. Commissioner Gillette commented that she believed "San Francisco is Cool" was a positive hearing.

- Committee Report

Commissioner Sammon, who had chaired the Committee meeting, reported on the June 1 meeting of the Employment Committee. Richard Takei, Assistant Regional Director of the U.S. Census, made a presentation, focusing on the need to build trust in the confidentiality of the Census so that all, particularly illegal aliens, would be counted.

Committee member Kevin Wadsworth submitted a research paper on leveraged buy outs which the Committee will discuss in greater depth at a subsequent meeting. The Employment Committee also discussed pending legislation.

The next meeting of the Employment Committee will be at 9:30 AM Thursday, July 6, at the First Nationwide Bank corporate offices.

SOCIAL ISSUES/POLICE LIAISON

- Update on Public Hearing Police/Citizen Participation in Demonstrations

Commissioner Sammon reported that the planning for the public hearing is proceeding. Most people have already received letters of invitation. The Committee, at its meeting of June 7, discussed the topics for the hearing, which will be divided into sections, as done successfully in the Domestic Partnership hearing. Because the Police Commission will be meeting Wednesday evening, June 28, it would be appropriate to change the date of HRC's public hearing. After discussion, it was decided that the public hearing on Police/Citizen Participation in Demonstrations would be scheduled for Thursday, June 29, from 6:00 PM to 10:00 PM. Commissioner Sammon reported that he and Director Jamero met with Chief of Police Frank Jordan on Tuesday, June 6. The Chief related that he planned to be on vacation the week of June 26.

Commissioner Sammon distributed copies of a San Francisco Chronicle June 8 newspaper article describing a probe of Police intimidation of refugees. It was incidents such as this which add to the importance of HRC's upcoming hearing which is intended to be as constructive as possible.

YOUTH AND EDUCATION

- Update on "Youth and Crack Cocaine"

Vice Chair of the Youth and Education Committee Karen Kai called upon Interim Committee Staffer Gail P. Roberts to make the report. Ms. Roberts reported that the next meeting of the Youth and Education Committee will be at 3:30 PM Thursday, June 15, at which time the Committee will focus on its role in and recommedations regarding the issue of Youth and Crack Cocaine.

HOUSING AND URBAN DEVELOPMENT

- Committee Report

Commissioner Kai called upon Committee staffer Don Hesse, who reported on the status of issues previously considered by the Housing and Urban Development Committee. The Library Commission, at its June 6 meeting, adopted changes in their policies which would extend library privileges to the homeless. The Commission will send a letter to the Library Commission thanking their staff. Mr. Hesse described a Congressional hearing, in which Representatives Edwards and Pelosi participated, focusing on opposing reductions in Section 8 housing and opposing buy outs.

The next meeting of the Housing and Urban Development Committee is scheduled for 3:30 PM Tuesday, June 27.

LESBIAN/GAY ADVISORY

- Committee Report

In the absence of Commissioner Graff, Vice Chairperson Chinn discussed plans for HRC participation in the annual Lesbian/Gay Freedom Day Parade to be held Sunday, June 25. Parade participants are to assemble at Castro and Market Street at 10:30 AM for the Parade which will begin at 11 AM. Commissioner Bermudez has donated the use of a car for those who do not wish to walk. The HRC will also have an information booth at Civic Center Plaza.

Commissioner Chinn announced that there will be a special HRC staff meeting at 9:30 AM Friday, June 23, focusing on Lesbian/Gay issues with Mary Dunlap as the featured speaker. Commissioners are invited.

NEW MATTERS

Commissioner Chinn expressed concern regarding recent events in China and requested HRC support for San Francisco residents who have family and friends in China. It was then

***m/s/c, on the motion of Commissioner Fernandez and the second by Commissioner Bermudez, that the Human Rights Commission convey its support of and concern for San Francisco residents who have family and friends in China. At the request of Commissioner Bermudez, the Commission observed a moment of silence for those young people fighting so desperately in China.

Commissioner Martin raised the issue of the HRC establishing a "hate hot line", noting that he had requested Director Jamero to investigate the feasibility of setting one up as soon as possible. In response to Commissioner Lockhart's question as to whether this was an appropriate issue for the Social Issues/Police Liaison Committee, Commissioner Martin observed that he wanted this matter expedited. Commissioner Sammon offered the assistance of the Social Issues/Police Liaison Committee.

CALENDAR MATTERS

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, July 6, 1989 3:30 P.M. HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, July 6, 1989 9:30 A.M. First Nationwide Bank Corporate Offices 706 Mission Street, Main Floor
HOUSING AND URBAN DEVELOPMENT	Tuesday, June 27, 1989 3:30 P.M. Room 1159, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, June 20, 1989 5:30 P.M. Room 1200, State Building 350 McAllister Street
MBE/WBE/LBE COMMUNITY ADVISORY	To be announced
SOCIAL ISSUES/POLICE LIAISON	Wednesday, June 21, 1989 9:00 A.M. Room 1200, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, June 15, 1989 3:30 P.M. Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

Nathaniel Berkowitz, one of the owners of the Grant Building, expressed strong opposition to HRC's proposed move from 1095 Market Street, its office location for the past 16 years. Mr. Berkowitz described himself as one of the six owners of the Grant Building, of whom three are men and three are women and all are San Francisco residents. The three couples purchased the Grant Building in September of 1988. Mr. Berkowitz stated that HRC's proposed move to 25 Van Ness Avenue would cost $100,000 in non-recurring costs and $60,000 per year in additional rent at a time when the City and County of San Franciso is facing a budget crisis. Mr. Berkowitz stated that the HRC had requested an extension of its lease on April 12, 1989, but had rescinded that request on May 3, 1989. The new owners had offered expansion of space and improvements to the HRC.

Nathaniel Berkowitz expressed the opinion that he had been denied an opportunity to meet with the Administrative Committee. In response to an inquiry by Commissioner Fernandez, Mr. Berkowitz explained that Director Jamero had "politely denied" him access. Commissioner Martin stated that Director Jamero made a full presentation of the proposals by the owners of the Grant Building to the June 1 meeting of the Administrative Committee. These proposals were considered and rejected by the Committee which reaffirmed its committment to move.

Commissioner Martin stated that an agency remaining in the same location for 16 years has certainly demonstrated loyalty to that neighborhood, particularly when that neighborhood is in trouble. Commissioners are not to feel embarrassed because of their decision to move.

Nathaniel Berkowitz stated that he would continue his opposition to HRC's proposed move before the Finance Committee of the Board of Supervisors.

ADJOURNMENT

The regular meeting of the Human Rights Commission was adjourned by Chairperson Commissioner Lawrence B. Martin at 10:55 AM. Subsequently, the Commission went into Executive Session to discuss personnel matters and this session ended at 11:45 AM.

Respectfully submitted,

Peter M. Jamero
Executive Director

via Gail P. Roberts
Interim Commission Secretary

PMJ:GPR:se:ad
[HRC/Min]CORR3
6/19/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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AGENDA

San Francisco Human Rights Commission

PUBLIC HEARING

Thursday, June 15, 1989
Department of Public Health
101 Grove Street, Room 300 - 3rd Floor
Time: 9:00 A.M.

Public Testimony on the proposed Rules and Regulations Implementing the Minority/Women/Local Business Enterprise Ordinance II.

Call to Order

Welcome

Introduction

Purpose and Objective

Opening Remarks

Rules of Procedure*

Public Comment/Testimony

Closing Remarks

Adjournment

NOTE: * Oral testimony by both individuals and organizations may be limited. If possible, we would appreciate your testimony in writing, whether or not you testify orally. Written testimony may contain more detailed information than oral testimony time limitations allow. These written statements will be part of the official record.

FA:np

15) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

HUMAN RIGHTS COMMISSION

June 15, 1989

The Minutes of this meeting are missing.

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AGENDA

Thursday, June 22, 1989
Department of Public Health
101 Grove Street, Room 300 - 3rd Floor
Time: 9:00 A.M.

1. Roll Call
2. Pledge of Allegiance

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* SPECIAL ORDER *

Public Testimony on the proposed Rules and Regulations Implementing the MBE/WBE/LBE Ordinance II - 2nd Hearing

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3. Minutes of the Meeting of Thursday, June 8, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A. Request for opposition to planned distribution of Proposition 98 funds

B. Committee Reports

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A. Committee Report - Public Hearing Police/Citizen Participation in public Demonstrations

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

No Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

No Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

No Report

LESBIAN/GAY ADVISORY: Commissiioner Leonard Graff, Chairperson

No Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

GPR:ad
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5) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

HUMAN RIGHTS COMMISSION

June 22, 1989

The Minutes of this meeting are missing.

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SPECIAL COMMISSION MEETING

Thursday, June 29, 1989
Auditorium, Room 1154 State Building
350 McAllister Street
Time: 3:30 P.M.

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AGENDA

1. Roll Call
2. Pledge of Allegiance

SPECIAL ORDER

Public Testimony on the proposed Rules and Regulations Implementing the MBE/WBE/LBE Ordinance II - 2nd Hearing

3. Minutes of the Meetings of Thursday, June 8, 1989, Thursday, June 15, 1989 and Thursday, June 22, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

A. Adoption of Rules and Regulations Implementing the MBE/LBE Ordinance II

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A. Request for opposition to planned distribution of Proposition 98 funds

B. Committee Reports

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

No Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

No Report

15) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

No Report

LESBIAN/GAY ADVISORY: Commissiioner Leonard Graff, Chairperson

No Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

No Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

NOTE: The Human Rights Commission will reconvene at 6:00 P.M. in Auditorium, Room 1154 of the State Building for a Public Hearing: "Police and Citizen Participation in Public Demonstration"

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Special Meeting of Thursday, June 29, 1989

NEXT MEETING

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DATE: Thursday, July 13, 1989
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commission Chair Lawrence B. Martin at 3:45 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, May Jaber, Karen N. Kai, Lawrence B. Martin (presiding), Isadore Pivnick, and Peter Sammon.

Excused: Frankie Gillette, Leonard Graff, and Lucile Lockhart.

HRC Staff: Peter M. Jamero (Executive Director), Frank Anderson, Adelbert Campbell, Gladys Dodds (Intern), James Fields, Bayard Fong, Don Hesse, Ed Ilumin, Gail P. Roberts, and Pansy Ponzio Waller.

City Attorney's Office

Mara Rosales, Deputy City Attorney

Guests: Robert Bush, Muni Court; Anne Cervantes, AIA MRC and Hispanic Chamber of Commerce; Sandra Crumpler, Airports Commission; Robert Mansi, Recreation and Park Department; Frank Mangold, PUC/Utilities Engineering Bureau; Virgilio Talao, Ocampo-Talao; and Sam Williams, San Francisco Quality of Life Network.

A quorum of Commissioners was established.

SPECIAL ORDER

Public Testimony on the Proposed Rules and Regulations Implementing the MBE/WBE/LBE Ordinance II - 2nd Hearing

Commission Chair Martin called upon Deputy City Attorney Mara Rosales. The Deputy City Attorney explained that any changes in the Rules and Regulations are to be adopted at this meeting. The following changes were made by Mara Rosales: 1. change "ineligible" to "not entitled" in Section II B.3. which then reads: "The Director shall develop procedures for registering businesses that are not eligible to receive the MBE/WBE/LBE bid preferences." 2. In Section VII B.2, add "on the advice of the City Attorney" and "within a specified period of time (e.g. five days)" which then reads: "... the Director, on the advice of the City Attorney, shall issue a notice to department heads, the Mayor, the Board of Supervisors and the Chief Administrative Officer that, within a specified period of time (e.g. five days), the MBE and/or WBE bid preference shall not be applied to the relevant industry or profession pending a hearing by the Commission and action by the

Board of Supervisors." This wording change was proposed by Angela Gittens of the Airports Commission. In response to the inquiry of the Chair, the Executive Director stated that the wording change caused no difficulty.

Following the Deputy City Attorney's presentation, Commission Chair Martin invited public testimony.

Sam Williams of the San Francisco Quality of Life Network expressed concern regarding the process of disseminating information about this opportunity for public testimony on the proposed Rules and Regulations implementing the MBE/WBE/LBE Ordinance II. Mr. Williams questioned why there were not MBEs and WBEs in attendance. Given the brief time Mr. Williams had to review the third draft of the Rules and Regulations (he had received this document at the beginning of this meeting), he expressed concern that the local business provision promoted "business as usual". Sam Williams requested that the Commission take no action, pending greater community input.

Director Jamero expressed full agreement with the speaker for the need for appropriate MBE and WBE participation. The Executive Director alluded to statements in the General Findings for the MBE/WBE/LBE Ordinance II to the effect that the HRC, in 1988, heard the testimony of 42 witnesses and received 127 written submittal; the Governmental Operations Committee of the Board of Supervisors held 10 hearings and took additional testimony and written submittals. In addition, there were three opportunities for public testimony in front of the HRC on the draft Rules and Regulations: 6/15/89, 6/22/89, and 6/29/89. The Deputy City Attorney clarified that there were two documents: 1. the MBE/WBE/LBE Ordinance II, signed by the Mayor May 30, 1989, following three and a half months of public comment and scrutiny by minority and women's groups, and 2. the implementing Rules and Regulations which "breaks no new ground". In addition, the Deputy City Attorney met weekly with representatives of three different groups: the Board of Supervisors, the community, and City and County departments.

Anne Cervantes of AIA MRC and the Hispanic Chamber of Commerce questioned II.C.2.b. on page 7, "Departments are encouraged to invite HRC staff to attend the interviews of prospective consultants to observe the interview process and to answer any questions about the Ordinance and these regulations." Deputy City Attorney Rosales related that some departments would like HRC to participate in the interviews process and apply the rating preference points, while others prefer to do it themselves. Ms. Cervantes urged the HRC to participate in interview for personal service contracts over a half million dollars. Reference was made to the recent screening of architects for the building of the main library. The top three consultants are to resubmit their HRC forms. Deputy City Attorney Rosales stated that there was nothing in the MBE/WBE/LBE Ordinance II which gives the HRC the power to require its participation in the screening panel. There is a mandatory requirement that: "City departments shall include qualified women and minorities amongst consultant selection panelists". Their absence from a panel could be reason to protest, the Deputy City Attorney explained. Commissioner Fernandez noted the federal government practice is to have a union representative as well as a minority and a woman participant in employment interviews. Having the HRC participate in screening panel might not be burdensome to staff if a reasonable dollar minimum were set. A minority or a woman on the panel would not be necessarily knowledgeable about the Rules and Regulations and HRC staff participation would ensure that the Rules and Regulations are understood and followed.

Deputy City Attorney Mara Rosales related that HRC is involved in Port Commission personal service contract screening panels, while the Airports Commission and the Chief Administrative Officer prefer to operate independently of the HRC, citing that they may already have 14 or more on the screening panel and they do not want any more. The Executive Director, responding to Commissioner Fernandez's invitation, related that HRC has already engaged in dialogue with departments and that HRC staff is very concerned with this issue. The HRC lacks the legal authority to require its participation in screening panels and has tried to deal with this issue through negotiation. Commissioner Fernandez observed that where there is a problem, particularly a recurring problem, the Rules and Regulations need to be expanded. She noted that the more uniform the guidelines, the less problems and the more consistency in implementation.

Commissioner Chinn inquired if there was anything which precludes HRC from monitoring the award of all personal services contracts. Director Jamero stated that HRC could not do it in one hundred percent of the contracts because of staff limitations. Deputy City Attorney Rosales that HRC involvement in screening panels is an issue in which there was no concensus among departmental representatives participating in the Mayor's Office Affirmative Action Task Force. The Deputy City Attorney recommended that the Rules and regulations not be amended now; however, within a month or so, changes might be made. Deputy City Attorney Rosales related that if HRC involvement in screening panels became mandatory, this would trigger departmental requests for a City Attorney's opinion, investigating HRC's authority. Commissioner Fernandez observed that the City Attorney's office could be requested to research the law to determine whether or not HRC has the authority. Commission Chair Martin commended this request. Commissioner Pivnick suggested that the language in II.C.2.b be changed to: "Departments shall invite HRC staff to attend the interviews...." Were the HRC staff to be invited, they need not attend.

Sandra Crumpler of the Airports Commission expressed concern that if the language were that "departments shall invite", this could delay a department for two to three weeks while trying to contact the HRC. Ms. Crumpler related that no bid and/or rating preferences can be awarded without HRC authorization.

Sandra Crumpler also reported that Angela Gittens of the Airports Commission requested that, in Section VII.B.2., "an effective date be specified as to when the MBE and/or WBE bid preference shall no longer apply." Ms. Crumpler referred to a memorandum from Senior Contract Compliance Officer Vicky Zimpel, distributed at the June 28, 1989 departmental training session in which she specified which groups and which areas are to be eligible for bid and rating preferences. The Deputy City Attorney responded that this was drawn directly from the Ordinance and could be repeated in the Rules and Regulations as clearly as stated by Ms. Zimpel.

Commission Chair Martin stated that the issue of the Rules and Regulations was now in the hands of the Commission. Because a quorum of voting Commissioners was not in attendance at the June 15 public hearing, the motions were voted upon in turn with maker of the motion and the seconder, when known, being repeated.

***m/s/c, on the motion of Commissioner Fernandez and second by Commissioner Pivnick, that II.A.1 on page 1 be amended to specify that membership on the MBE/WBE Community Advisory Committee is to include representatives of local business and community groups and state and federal governmental agencies.

***m/s/c, on the motion of Commissioner Fernandez and the second of Commissioner Chinn, that A.2.a: "The Director may conduct an investigation" is changed to "shall".

***m/s/c, on the motion of Commissioner Fernandez and the second of Commissioner Sammon, that VI.C.2 on page 13 be changed from: "Such investigation shall be conducted within one hundred and eight (180) days" to "ninety (90) days".

Deputy City Attorney Rosales noted that 180 days in which to conduct an investigation in VI.C.2. of the second draft had been changed to 90 calendar days on page 16. She proposed changing the wording to 60 (business) days to make it consistent with other references. Director Jamero had no objection to this. It was then

***m/s/c, on the motion of Commmissioner Fernandez and the second of Commissioner Chinn, that VI.C.2. shall read: "Such investigation shall be conducted within 60 days...." The number of days refers to business days.

In conclusion, it was then

***m/s/c, on the motion of Commissioner Jaber and the second by Commissioner Fernandez, that the Human Rights Commission adopt the Rules and Regulations, implementing Minority/Woman/Local Business Utilization Ordinance-II, as amended.

Commission Chair Martin thanked everyone for their participation and expressed appreciation to Deputy City Attorney Mara Rosales for her outstanding work.

MINUTES

***m/s/c/, on the motion of Commissioner Chinn and by the second of Commissioner Sammon, to approve the minutes of the meeting of Thursday, June 8, 1989, as mailed.

***m/s/c, on the motion of Commissioner Pivnick and by the second of Commissioner Fernandez, to approve the minutes of the meeting of Thursday, June 15, 1989, as mailed.

***m/s/c, on the motion of Commissioner Fernandez and by the second of Commissioner Pivnick, to approve the minutes of the meeting of Thursday, June 22, 1989, as distributed.

COMMUNICATIONS

To: Peter Jamero, Executive Director, from Anthony J. DeLucchi, Director of Property, Real Estate Department, a letter received June 12, 1989, conveying the new proposal by Mr. Berkowitz for a multi-year lease at 1095 Market Street and enclosing a proposed agreement for the use of HRC's best efforts to remain at 1095 Market Street until December 31, 1989.

To: Ramon Cortines, Superintendent of Schools, San Francisco Unified School District, from Gail P. Roberts, Youth and Education Committee Interim Staffer, a letter dated June 23, 1989 relating that the Human Rights Commission was unable to vote upon the request for opposition to the planned distribution of Propostion 98 funds due to the lack of a quorum and this issue has been calendared for HRC's special meeting June 29, 1989.

From: Peter M. Jamero, Executive Director, to the Honorable Art Agnos, Mayor, a letter dated June 27, 1989, describing the problem which the Commission has experienced in obtaining a quorum and requesting that he instruct the City Attorney's Office to prepare legislation amending Chapter 12A to reduce the number of Commissioners from 15 to 11 or to whatever number he deems appropriate.

From: Peter M. Jamero, Executive Director, to Burk Delventhal, Chief Deputy City Attorney, a memorandum dated June 28, 1989, on the impact of abstentions in the determination of a quorum.

To: Geoff Rothman, Civil Service Commission, from Don Hesse on behalf of ten HRC and COSW (Commission on the Status of Women) staff persons in class 2996 Representative (HRC) appealing the loss of the pay equity benefits previously awarded and the consequent reduction in their salary by five percent.

REPORT OF THE CHAIRPERSON

There was no report from the Chairperson.

DIRECTOR'S REPORT

The Executive Director referenced, in the Correspondence File, a June 27 letter to the Mayor and a June 28 memorandum to Burk Delventhal, Chief Deputy City Attorney regarding determination of a quorum of Commissioners.

Director Jamero reported that the Finance Committee, at their second hearing on June 22, 1989, approved the HRC's budget as reported at the previous Commission meeting. Adjustments were made to reflect the delayed start up for some budget items. Authorization for all budget items was approved. Finance Committee Chair Supervisor Walker, on June 20, 1989, requested that additional revenue needs due to the passage of the MBE/WBE/LBE Ordinance II and the Domestic Partnership Ordinance be articulated. With the assistance of the Purchaser and the Controller, staff estimated the one time cost for data collection for the MBE/WBE/LBE Ordinance. HRC requested one position to implement the Domestic Partnership Ordinance. The next step will be the submittal to the Mayor's Office of a formal supplemental budget request.

The Departmental Training Workshop implementing the MBE/WBE Ordinance was held June 28 and lasted for three hours with approximately 80 people in attendance at the Department of Public Health Auditorium.

HRC made history on Sunday, June 25, by participating in the Lesbian/Gay Freedom Day Parade for the first time. The Executive Director expressed appreciation to Commissioner Bermudez for the use of his car and thanked, in addition, Commissioners Chinn, Gillette and Kai for their participation. Commissioner Kai observed that staff was a large part of the contingent and of the work involved.

The Executive Director announced that it had been anticipated that COSW would be independent of the HRC effective July 1, 1989. However, Chapter 33 of the Administrative Code reestablishing COSW as a separate Commission has been held over to the July 17 meeting of the Board of Supervisors. An amendment to increase the number of Commissioners from 5 to 7 is pending. The current number is 11.

Director Jamero alluded to the letter from Anthony J. DeLucchi, Director of Property, Real Estate Department, conveying the new proposal by Grant Building owners for a multi-year lease and enclosing a proposed agreement for the use of HRC's best efforts to remain at 1095 Market Street until December 31, 1989. (A copy of this letter was included in the Correspondence File. This agreement was executed at the close of the meeting.)

The Executive Director reflected that it was his pleasure to participate, on behalf of the HRC, in the annual conference of the National Association of Police Community Relations Officers which was co-hosted by the HRC. Director Jamero presented the Citizen of the Year award to a Los Angeles woman.

STANDING COMMITTEES

MBE/WBE COMMUNITY ADVISORY

- Adoption of Rules and Regulations Implementing the MBE/WBE/LBE Ordinance II

This item was acted upon earlier in the meeting.

YOUTH AND EDUCATION

- Request for opposition to the planned distribution of Proposition 98 funds

Committee Chair Commissioner Pivnick, reading from the memorandum distributed in advance to Commissioners, stated: "the San Francisco Unified School District is scheduled to receive only two-thirds of the statewide average per ADA (Average Daily Attendance of students in schools). There appears to be no educational reason for this differential. The statewide average is to be $155 per ADA, while San Diego will receive $146 per ADA. Unfortunately, San Francisco is scheduled to receive only $109 per ADA." Commissioner Pivnick observed that Commission opposition to the planned distribution of Proposition 98 funds may be too late because the California

Legislature's action on the State Budget is scheduled for tomorrow, Friday, June 30, 1989; however, Commissioner Pivnick stressed the importance of communicating HRC's disappointment to the Legislature and its support of the San Francisco Unified School District to Superintendent Cortines. It was then

***m/s/c, on the motion of Commissioner Pivnick and by the second of Commissioner Chinn, that the Human Rights Commission oppose the planned distribution of Proposition 98 funds because the San Francisco Unified School District is scheduled to receive only two-thirds of the statewide average per ADA (Average Daily Attendance of students in schools).

- Committee Report

Commissioner Pivnick announced that the Youth and Education Committee met Thursday, June 29, 1989 from 12 Noon to 1:30 PM and will meet again on Thursday, July 27, 1989, at 3:00 PM. The Committee will be developing its findings and recommendations arising from the forum on Youth and Crack Cocaine and anticipates having a report for the Mayor by October.

ADMINISTRATIVE

There was no report by the Administrative Committee.

EMPLOYMENT

There was no report by the Employment Committee.

HOUSING AND URBAN DEVELOPMENT

There was no report by the Housing and Urban Development Committee.

LESBIAN/GAY ADVISORY

There was no report by the Lesbian/Gay Advisory Committee.

SOCIAL ISSUES/POLICE LIAISON

Committee Chair Commissioner Sammon described the planning for the Public Hearing: "Unfinished Business" which would follow this Commission meeting at 6:00 PM in the Auditorium. Don Hesse, staff lead person for the hearing, had prepared a packet of materials for the Commission. Sets of questions have been prepared as a guide for the Commissioners. Deputy Chief Frank Reed will represent Chief of Police Frank Jordan at the hearing. Supervisors Jim Gonzales and Terrence Hallinan and Deputy Mayor Gayle Orr-Smith are invited guests for the hearing. Commissioner Sammon reviewed the agenda and emphasized the importance of a smoothly run hearing. He cited a letter to Chief Jordan showing the lack of coordination within the San Francisco Police Department as an example of an issue to be addressed at the hearing.

NEW MATTERS

Sam Williams requested that his proposal to deal with the problems of crack cocaine, a copy of which he presented to the June 15 meeting of the Youth and Education Committee, be considered by the Committee at its July 27 meeting.

CALENDAR MATTERS

Gail P. Roberts, Interim Commission Secretary, announced that the Commission will be meeting only once in July and in August: July 13 and August 10.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, July 6, 1989 3:30 PM HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, July 6, 1989 9:30 AM First Nationwide Bank Corporate Offices 706 Mission Street, Main Floor
HOUSING AND URBAN DEVELOPMENT	Monday, July 10, 1989 3:30 PM HRC Conference Room 509 1095 Market Street
LESBIAN/GAY ADVISORY	Tuesday, August 15, 1989 5:30 PM Room 1200, State Building 350 McAllister Street
MBE/WBE/LBE COMMUNITY ADVISORY	To be announced
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, July 5, 1989 9:00 AM Room 1154, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, July 27, 1989 3:00 PM Room 1200, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The special meeting of the Human Rights Commission was adjourned by Commission Chair Lawrence B. Martin at 5:02 PM.

Respectfully submitted,

Peter M. Jamero
Executive Director
via Gail P. Roberts
Interim Commission Secretary

PMJ:GPR:np:se

[HRC/Min]CORR3
7/7/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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REGULAR COMMISSION MEETING

Thursday, July 13, 1989
Auditorium, Room 300
Department of Public Health
TIME: 9:00 AM

AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Approval of the Minutes of the Meeting of Thursday, June 29, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report

SPECIAL ITEM

Request for Approval of Resolution of the Board of Supervisors urging the Police Commission To establish a special hate crimes unit.

7. Standing Committees:

SOCIAL ISSUES AND POLICE LIAISON : Commissioner Father Peter J. Sammon
Chairperson

A. Request for Adoption of updated City of Refuge Resolution
Committee on the City of Refuge speakers:

Ignatius Bau
Sara Campos
Cathleen Heedy

B. Report on June 29,198 Public Hearing: Police and Citizen Participation in Demonstrations

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Request for approval of a letter to the California Senate and Senate State Select Committee on AIDS objecting to the remarks of Senator Nielsen.

B. Request for approval of a letter to President Bush urging him to appoint a person with AIDS to the new federal AIDS Commission.

C. Request for approval of a letter to the editors of the San Francisco Examiner commending them for their recent 16 part series on "Gay in America".

15) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

A. Request for approval of a letter in support of Mayor's Housing Advisory Committee's Action Plan.

ADMINISTRATIVE: Commissioner Rosemarie Fernandez, Chairperson

A. Committee Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

A. Committee Report

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

No Report

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

No Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment
12. Executive Session on personnel matters will follow.

GPR: bclp
[Agenda] Digital

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, July 13, 1989

NEXT MEETING

DATE: Thursday, August 10, 1989
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commission Chair Lawrence B. Martin at 9:15 A.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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ROLL CALL

Commissioners

Present:	Adrian Bermudez, Jr., Lenore Chinn, Rosemarie Fernandez, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding) and Isadore Pivnick.
Excused:	Peter Sammon.
HRC Staff	Peter M. Jamero (Executive Director), Larry Brinkin, Don Hesse, Ed Ilumin, Norm Nickens, Richard Norton, Gail P. Roberts, and Alan Tafapolsky (intern).
Guests	Ignatius Bau, San Francisco Lawyers Committee for Urban Affairs; Carolina Costaneda, Central American Refugee Center, and Sister Kathleen Healy, San Francisco Sanctuary Covenant.

MINUTES

It was

***m/s/c, on the motion of Commissioner Pivnick and by the second of Commissioner Graff, to approve the minutes of the special meeting of Thursday, June 29, 1989 with two amendments: 1. deleting the sentence on page 2, third paragraph; "Thus, the absence of public testimony at this hearing can most probably be attributed to little or no remaining problems with the Rules and Regulations."; and 2. on page 6, substitute "Unfinished Business" Public Hearing for "Public Hearing: Police and Citizens Participation in Public Demonstrations."

COMMUNICATIONS

A copy of a letter to the Honorable Art Agnos, Mayor, from Commissoner Rosemarie Fernandez, received July 7, 1989 submitting her resignation effective August 1, 1989. Her resignation was in response to a memorandum issued to all HUD employees from Secretary Jack Kemp terminating all Department approvals allowing certain employees to serve on state or local boards and commissions. She had received approval, issued by the Regional Counsel in 1987, allowing her to serve on the HRC.

To: Peter Jamero, Director, from Julia I. Lopez, General Manager, Department of Social Services, a letter received June 23, 1989, requesting authorizations of an MBE/WBE/LBE waiver for the two year contract between DSS and Dr. Don Cohen, a consulting psychologist, to provide services involving AIDS and HIV-infected children. This waiver request was granted July 10, 1989 because Good Faith Efforts were made, but there was only one response to an RFQ (Request for Qualifications).

A copy of a letter from Mayor Art Agnos, to Michael Welton, Fillmore Center Associates, dated June 21, 1989 regarding serious problems in providing leasing information to minority applicants.

A copy of a July 12, 1989 newspaper article from U.S.A. Today about domestic partnerships and alternative families nationwide and describing the San Francisco Ordinance and the possible benefits for City workers. The accompanying picture was of Sexual Orientation Discrimination Representative Larry Brinkin and his lover, Wood Massi, who were also interviewed for the article.

REPORT OF THE CHAIRPERSON

Commission Chair Lawrence B. Martin reminded Commissioners that the Friends of the Human Rights Commission was hosting the reception honoring the 25th anniversary of the HRC on July 27, 1989. FHRC President Jane Morrison had related that Commissioner Jaber had been of tremendous assistance in obtaining donations of wine. Commissioner Martin encouraged a large turn out for the reception.

DIRECTOR'S REPORT

Executive Director Peter M. Jamero called attention to the letter of resignation submitted by Commissioner Rosemarie Fernandez, a copy of which was included in the communications file. As an employee of the U.S. Department of Housing and Urban Development, Rosemarie Fernandez was required to resign to avoid the appearance of conflict of interest. The Executive Director suggested that a letter of appreciation be sent to Commissioner Fernandez. Commissioner Pivnick recommended that a resolution of appreciation be requested from the Mayor's Office.

The Executive Director reported on HRC involvement in hate crime issues. Approximately one month previously, Commissioner Martin had recommended that HRC explore the possibility of instituting an emergency "hot line". Director Jamero related that other jurisdictions had mixed experiences with this process. The San Jose Human Relations Commission installed a telephone hot line and initially received lots of calls; however, no service was provided and the numbers dropped sharply. Management staff heard a detailed account of successful approaches to dealing with hate crimes by Fred Persily, Director of the Contra Costa County Human Relations Commission, on Friday, July 7. Mr. Persily is among the leading resources in the field of responding to hate crimes. Contra Costa County will not have a "hot line" until services are in place. The Executive Director related that an update on this issue will be presented to the August 10 Commission meeting. Commissioner Graff alluded to the Resolution of the Board of Supervisors urging the Police Commission to establish a special hate crimes unit which referrences the HRC and which is to be discussed later on this agenda.

The Board of Supervisors is expected to act upon Chapter 33 of the Administrative Code on July 17, 1989, setting up COSW as an independent commission. Subsequent to the vote, action will be initiated to separate the two commissions.

The Domestic Partnership Ordinance never took effect, having been suspended. The Registrar of Voters announced today (July 13, 1989) that the petition to overturn the Ordinance had qualified for the November, 1989 ballot. About 25 couples requested Declaration of Domestic Partnership forms on July 6, 1989; however, they were informed that the Ordinance was suspended and they could not file.

The Executive Director announced that the Finance Committee approved all HRC items. The City and County operates under an interim budget for July and August. The full budget is scheduled to take effect September 1, 1989. Funds for HRC's move to 25 Van Ness Avenue and a new phone system were included in the budget. December 1, 1989 is the target date for the move.

Director Jamero explained that the intent of Supervisor Willie B. Kennedy's proposed charter amendment is to establish HRC as a charter commission. The Executive Director supports that intent. An analysis of the proposed charter amendment will be provided to the Commissioners as will be copies of the latest draft of the amendment. Commissioner Graff requested that the Commissioners review the response prior to its submittal to the Board of Supervisors in order to make it as strong as possible. Commissioner Martin observed that Supervisor Kennedy wanted the power or decision made by the people.

The Executive Director referenced the waiver request which was part of the correspondence file, noting that reporting to the Commission in a timely manner was in conformance with the MBE/WBE/LBE Ordinance. The wording is as follows: "Sec 12D.15 (B) Reporting by the Director ... 2. The Director shall report to the Commission all waivers granted pursuant to Section 12D.3. Such report shall be made at the first Commission meeting following the granting of the waiver". The waiver request format is to be revised.

Director Jamero explained that he will be attending the annual conference of IAOHRA (International Association of Official Human Relations Agencies) is to be held in Seattle, Washington the following week. Deputy Director Campbell will be in charge during his absence.

The Executive Director observed that the Friends of the Human Rights Commission were doing an excellent job in preparing for the 7/27/89 reception honoring the 25th anniversary of the HRC. Commissiner Gillette requested that Director Jamero inquire as to whether or not standing committee members have received invitations to the reception.

SPECIAL ITEM: Request for Approval of Resolution of the Board of Supervisors urging the Police Commission to establish a special hate crimes unit.

Director Jamero read the portion of the amendment which specified that the HRC was to hold public hearings on hate crimes.

***m/s/c, on the motion of Commissioner Gillette and the second by Commissioner Fernandez, that the Human Rights Commission approve the Resolution of the Board of Supervisors, as amended, urging the Police Commission to establish a special hate crimes unit. Commissioner Lockhart, noting that the San Francisco Police Department was being asked to do something new, wondered if they will be seeking funds for staff and resources. Don Hesse, coordinator of HRC's Dispute Resolution Unit, explained that, to form the Hate Crimes Unit, the SFPD would assign existing personnel, give titles, and specify priorities. Commissioner Kai observed that, in the course of HRC's public hearing, the issues of resources could be addressed. Director Jamero stated that HRC can accommodate holding a public hearing with its existing resources.

STANDING COMMITTEES

SOCIAL ISSUES AND POLICE LIAISON

- Request for Adoption of updated City of Refuge Resolution

In the absence of Social Issues/Police Liaison Committee Chair Sammon who was on vacation, Committee Vice Chair Lockhart stated that Committee staffer Ed Ilumin would introduce the speakers.

Sister Kathleen Healy explained that she is the chairperson of the San Francisco Sanctuary Covenant to which 16 groups belong. Providing background for the Resolution, Sister Kathleen related that in 1983 and 1984 the San Francisco Sanctuary Covenant knew that the City's help was needed to assist Guatemalan and Salvadoran refuges. For examples, some parents were not sending their children to school and some pregnant women were not seeking medical care for fear of being questioned as to their refugee status. The initial City of Refuge Resolution was adopted December 22, 1985 by the Board of Supervisors on an 8 to 3 vote. Sister Kathleen described a recent incident of a police officer taking pictures of people who had been meeting at the Salvadorian embassy in San Francisco. Sister Kathleen requested Commission support for the Resoluton.

Carolina Castaneda of the Central American Refugee Center explained the current problems affecting refugees, noting especially the increase in activities by death squads and human rights violations in El Salvador. Ms. Castaneda expressed the opinion that chances for peace were very bad and a substantial increase in refugees was anticipated. Only three percent of Salvadorans' request for political asylum were granted. Salvadorans refused asylum are unable to work in the United States because of sanctions on employers. Salvadoran refugees are suffering increasing problems. Ms. Castaneda spoke at the hearing about the incident at the Salvadorian Embassy, expressing the view that the Office of Citizen Complaints was given the wrong film, the one with pictures of the protestors is unaccounted for. According to Carolina Castaneda, there is a Salvadoran law which prohibits Salvadorans outside of El Salvador from protesting against the country. Ms. Castaneda urged passage of the Resolution.

Ignatius Bau of the San Francisco Lawyers Committee for Urban Affairs observed that City and County government needs to be concerned about undocumented workers in San Francisco. The federal government has failed to provide to appropriate legal protection. The Courts have found that the Los Angeles office of the Internal Revenue Service actively harassed refugees. Mr. Bau related that, overall, 40 percent of applications for asylum are granted; however, only three percent of the Guatemalan and Salvadoran applicants are granted asylum. The California State Attorney General has issued a clear opinion that state and local jurisdiction are to assist federal authorities in enforcing criminal law provisions; however, they are under no obligation are to assist nor affirmative duty to report violation of certain provisions of civil law such as overstaying the duration of a visa. State and local authorities asking questions regarding immigration status deter people from seeking help and using available services. The revised City of Refugee Resolution requires the review of all forms used by City and County government to ensure that no irrelevant questions are included. No enforcement or monitoring was built into the initial City of Refugee Resolution. In the updated Resolution, the HRC's Social Issues/Police Liaision Committee is designated as the place to file complaints of violations of the Resolution. Ignatius Bau gave an example of a possible complaint: a person was arrested for shoplifting and, subsequently the charges were dropped; however, this person was held for the INS. The updated Resolution would prohibit this action from occurring.

Commissioner Lockhart thanked the speakers very much for a beautifully arranged and thoughtful presentation.

Commissioner Bermudez, identifying himself as a person from Nicaragua, observed that he was very proud of the presentation; however, the main focus was on El Salvador and Guatemala. South American and all other Central American countries need to be added as well. Mr. Bau responded that the 1985 Resolution only focused on El Salvador and Guatemala; however, the prohibition against asking questions related to immigration status would broaden it to all countries. Sister Kathleen noted the urgent need for El Salvador and Guatamala; nevertheless, she proposed amending the fourth FURTHER RESOLVED,: "that no department, agency, commission or employee of the City and County of San Francisco shall assist or cooperate in their official capacity with any investigation, surveillance or gathering of information conducted by the governments of El Salvador and Guatemala;" by adding "and other Central and South American governments".

Commissioner Kai inquired as to HRC's ongoing role. Commissioner Lockhart asked whether HRC's role would be more pro active or limited only to monitoring. Ignatius Bau responded that there is an affirmative requirement that the review of existing forms occur within six months. Currently there is no mechanism for monitoring. Sister Kathleen observed that there is a great need to educate staff at the lower levels in addition to changing forms. Commissioner Lockhart, in response to her question, was assured that this Resolution would be reviewed by the City Attorney's Office.

It was

***m/s/c, on the motion of Commissioner Lockhart and by the second of Commissioner Bernandez, that the Human Rights Commission endorse the updated City of Refuge Resolution to be presented to the Board of Supervisors for their consideration. A copy of this draft Resolution is attached.

- Report on June 29, 1989 Public Hearing: "Unfinished Business: Police and Citizen Participation in Demonstrations"

Commissioner Lockhart related that she had been out of town for this public hearing. At the July 5, 989 Social Issues/Police Liaison Committee meeting, Commissioner Sammon presented an excellent summary. The consensus was that the police and public demonstrations problem had been around for some time; therefore, the Committee intends to take its time to prepare a thorough and thoughtful report. Prior to the 9 A.M. Wednesday, August 2, meeting of the Committee, Commissioner Lockhart requested that substantive written comments on the hearing from her fellow Commissioners be submitted.

It was

***m/s/c, on the motion of Commissioner Lockhart and on the second of Commissioner Bermudez, that the Commission accept the Committee Report on the June 29, 1989 Public Hearing as presented.

LESBIAN/GAY ADVISORY

- Request for approval of a letter to the California Senate and Senate Select Committee on AIDS objecting to the remarks of Senator Nielsen.

Norm Nickens, representing the Lesbian/Gay Advisory Committee staff, described this letter in detail. Senator Jim Nielsen made the homophobic remarks referenced in the letter in a radio talk show. Commissioner Kai recommended that Senator Nielsen be sent a copy of this letter. Commissioner Lockhart praised Mr. Nickens for a masterful letter.

It was

***m/s/c, on the motion of Commissioner Graff and the second of Commissioner Bermudez, that the Commission approve a letter to the California Senate Select Committee on AIDS objecting to the remarks of Senator Nielsen.

- Request for approval of a letter to President Bush urging him to appoint a person with AIDS to the new federal AIDS Commission.

It was

***m/s/c, on the motion of Commissioner Graff and the second of Commissioner Bermudez as part of the previous motion, that the Commission approve a letter to President Bush urging him to appoint a person with AIDS to the new federal AIDS Commission.

- Request for approval of a letter to the editors of the San Francisco Examiner commending them for their recent 16 part series on "Gay in America

It was

***m/s/c, on the motion of Commissioner Graff and the second of Commissioner Bermudez as part of the previous motion, that the Commission approve a letter to the editors of the San Francisco Examiner commending them for their recent 16 part series on "Gay in America".

- Committee Report

Lesbian/Gay Advisory Committee Chair Leonard Graff explained that there will be a legal challenge to the ballot measure to repeal the Domestic Partnership Ordinance because the language of the petition was false and misleading. It will be approximately 30 days before the outcome of that legal challenge is known. Commissioner Graff commended Jacquie Hale and Larry Brinkin for their extraordinary effort in the preparation of informational materials to accompany the Domestic Partnership Ordinance. Their work was truly appreciated.

Norm Nickens, acting as committee staffer, explained that the July meeting of the Lesbian/Gay Advisory Committee had been cancelled. The next meeting will be August 15, 1989. Mr. Nickens thanked those who participated in the HRC contingent and information booth and expressed appreciation to the Commissioners and the Executive Director.

Larry Brinkin, Sexual Orientation Discrimination Representative, has been doing a number of interviews recently regarding the Domestic Partnership Ordinance. He observed that the press has really been interested in domestic partnership issues. Mr. Brinkin related that the highest court in New York State ruled that Gay partners are a family unit protected by New York City's rent control law.

It was

***m/s/c that the Commission accept the Lesbian/Gay Advisory Committee Report.

Commissioner Gillette recommended that letters sent out in the name of the Chair of the Commission designate the Executive Director as well as the assigned staff as contact persons for further information. Commissioner Gillette expressed the opinion that this will strengthen the role of the Executive Director and the Commission. Commissioner Martin stated that this practice of listing both will be followed.

HOUSING AND URBAN DEVELOPMENT

- Request for approval of a letter in support of the Mayor's Housing Advisory Committee's Action Plan

Housing and Urban Development Committee Chair Karen Kai related that their Committee had done an extensive review of material and identified relevant issues. Reactions to the Affordable Housing Action Plan of the Mayor's Housing Advisory Committee had to be submitted by July 14, 1989. Commissioner Kai read into the record Key Finding Nos. 8, 9 and 11 (Page 36)

"8. The majority of available housing resources should be targeted to serve those income groups in greatest need.

9. The preservation and improvement of the local existing affordable housing stock, particularly for low and very low income households, must be made a priority.
11. Housing for households with special needs must be made a regular part of our affordable housing efforts."

Commissioner Kai called upon Fair Housing Coordinator Don Hesse for additional commentary. Mr. Hesse drew attention to the reference, on the botton of page 1 of the letter to Mayor Art Agnos, that "... we believe it is consistent that the Housing Coordinating Group be expanded to include the Directors or their representatives from the Human Rights Commission and the Rent Arbitration Board." Don Hesse also called attention in the last paragraph of page 2 to enforcing anti-discrimination provisions to help targeted populations. Commissioner Lockhart observed that it was important not to create a negative image of special populations. Mr. Hesse responded that "special needs population" is the wording used in the Action Plan and refers to the homeless and veterans among others. The wording on page 1, paragraph 6, was changed from "... the importance of addressing special needs populations ...." to "... the importance of addressing these needs ..."

It was

***m/s/c, on the motion of Commissioner Kai and on the second of Commissioner Bermudez, that the Human Rights Commission approve a letter in support of the Mayor's Housing Advisory Committee's Action Plan. Commissioner Fernandez, as an employee of the U.S. Department of Housing and Urban Development, abstained. The full text of the letter is attached to these Minutes.

- Committee Report

Committee Staffer Don Hesse reported that the July 25 meeting of the Housing and Urban Development Committee had been cancelled. The next meeting will be Tuesday, August 22, 1989, at 3:30 P.M. in Room 1200 of the State Building.

It was

**m/s/c, on the motion of Commissioner Kai and on the second of Commissioner Fernandez, that the Commission accept the Committee Report.

ADMINISTRATIVE

- Committee Report

Administrative Committee Chair Rosemaire Fernandez reported that the Committee met July 6 and seven Commissioners were present. This meeting was chaired by Commissioner Gillette.

The minutes of the Administrative Committee are up to date. The Committee met July 6, 1989.

The Director reported on five items: 1. the Domestic Partnership Ordinance; 2. the General Fund budget; 3. the move to 25 Van Ness Avenue; 4. the proposed strategy planning session for Commissioners and Management staff; and 5. clarification of supervision responsibilities and work loads.

Nathaniel Berkowitz, one of the owners of the Grant Building, reviewed the Commissoners' Statement of Economic Interest July 7, 1989. The Director explained the "Best Effort" agreement to remain at 1095 Market until 12/31/89.

Commissioner Sammon reported on the 6/29/89 Public hearing on Police and Citizen Participation in Demonstrations and on the revisions to the City of Refuge resolution. Commissoners Gillette and Pivnick updated the follow up on their Committees' hearings.

The status of COSW was explained. The FHRC reception honoring the 25th anniversary of the HRC, on July 27, was discussed.

Commissioner Gillette had nothing to add to Commissioner Fernandez's report.

EMPLOYMENT

- Committee Report

Employment Committee Chair Frankie Gillette announced that a subcommittee has been set up to review the Committee's structure and to expand its role. The Employment Committee would like to increase its membership to 25. Will there be meeting space for the committees at 25 Van Ness?

Commissioner Lockhart, a member of the Commissioners' Task Force on Restructuring, requested that Commissioner Gillette submit her concerns regarding the Employment Committee to this Task Force in time for its July 24 meeting. Commissioner Chinn, also a member of the Task Force, encouraged other Commissioners to send their comments to the Task Force. Commissioner Gillette noted that Employment Committee staffer Carmen Smith will report on her behalf to the Chairperson.

Commissioner Gillette related that she hopes to have a draft of their Public Hearing report available with the month.

MBE/WBE/LBE COMMUNITY ADVISORY

Committee Chair Commissioner Jaber stated that the MBE/WBE/LBE Community Advisory Committee had no report.

YOUTH AND EDUCATION

There was no report.

NEW MATTERS

- Report on Nicaragua

Commissioner Lockhart requested that Commissioner Bermudez comment on his recent trip to Nicaragua. Commissioner Bermudez noted that he had yet to leave and would be delighted to report to the August 10 meeting of the Commission.

- Nominating Committee

Commission Chair Martin, noting that Commissioner Fernandez had resigned as Vice Chair, stated that a nominating committee to choose a successor would be selected. Commissioner Martin explained that, in the past, Commissioners not interested in serving as an officer were appointed to the nominating committee.

Commissioner Martin related that the Mayor's Office was preparing a letter responding to the Executive Director's letter encouraging the Mayor to request of the City Attorney's Office an amendment to Chapter 12A reducing the number of Commissioners from 15 to 11 or to whatever number he deemed appropriate. Commissioner Martin indicated that the Mayor may appoint additional Commissioners. Commissioner Graff requested that the issue of the number of Commissioners be discussed in greater detail at the August 3, 1989 meeting of the Administrative Committee.

CALENDAR MATTERS

Gail P. Roberts, Interim Commission Secretary, announced that the Commission will be meeting August 10 and will resume its twice monthly schedule starting September 14, 1989.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, August 3, 1989 3:30 PM HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, August 3, 1989 9:30 AM 1850 Mission Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, August 22, 1989 3:30 PM Room 1200, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, August 15, 1989 5:30 PM Room 1159, State Building 350 McAllister Street
MBE/WBE/LBE COMMUNITY ADVISORY	Thursday, August 31, 1989 4:00 P.M. HRC Conference Room 509 1095 Market Street
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, August 2, 1989 9:00 AM Room 1154, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, August 3, 1989 1:00 PM Room 1202, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

It was

***m/s/c, on the motion of Commissioner Bermudez and by the second of Commissioner Lockhart, that the regular meeting of the Human Rights Commission be adjourned at 10:49 A.M. Subsequently the Commission went into Executive Session to discuss personnel matters and this session ended at 11:05 A.M.

Respectfully submitted,

Peter M. Jamero
Executive Director
via Gail P. Roberts
Interim Commission Secretary

PMJ:GPR:ad
[HRC/Min 1]CORR3

DRAFT

RESOLUTION AFFIRMING DECLARATION OF CITY AND COUNTY OF SAN FRANCISCO AS A CITY AND COUNTY OF REFUGE

WHEREAS, the Board of Supervisors, in Resolution No. 433-85, declared the City and County of San Francisco as a City and County of Refuge in December 1985;

WHEREAS, there is a steady and dramatic increase in human rights violations in El Salvador and the situation is likely to continue to deteriorate with the recent assumption of power by the ARENA party which is closely linked to Salvadoran death squads;

WHEREAS, the government in Guatemala has been unable to extend civilian control over the Guatemalan army and extrajudicial killings of indigenous leaders, labor union members, health educators, students and peasants have been reported to be taking place at a rate of over 150 per month in 1989;

WHEREAS, the people of the United States owe a particular responsibility to refugees from El Salvador and Guatemala because of the role that United States military and other war-related aid has played in prolonging the political conflicts in those countries;

WHEREAS, conditions in their homelands which have already displaced over one third of the Salvadoran population and over half a million Guatemalans continue to force Salvadorans and Guatemalans to flee and seek refuge;

WHEREAS, because they entered the United States after January 1982, over 80% of the Salvadorans and Guatemalans living in the City and County of San Francisco were ineligible for legalization under the Immigration Reform and Control Act of 1986 which now imposes additional hardships on Salvadoran and Guatemalan refugees;

WHEREAS, the United States Supreme Court in the 1987 case _Immigration and Naturalization Service v. Cardoza-Fonseca_ noted that the INS had been imposing an unlawfully restrictive standard of proof on asylum applicants and that the efforts of the federal courts to apply the proper standard of proof "stand in stark contrast to - but, it is sad to say, alone cannot make up for - the years of seemingly purposeful blindness by the INS, which only begins its task of developing the standard entrusted to its care;"

WHEREAS, the INS granted asylum to only 3% of Salvadoran and Guatemalan asylum applicants while granting asylum to almost 40% of asylum applicants overall in Fiscal Year 1988 despite the elimination of ideological or nationality-based

criteria for granting refugee status in the 1980 Refugee Act;

WHEREAS, the United States District Court in the 1988 case Orantes-Hernandez v. Meese permanently enjoined the INS from continuing to intimidate and coerce Salvadorans from seeking asylum in the United States;

WHEREAS, California Attorney General has determined and the Ninth Circuit Court of Appeals in Gonzalez v. City of Peoria has ruled that the enforcement of the civil provisions of federal immigration law is within the exclusive jurisdiction of the federal government and that state and local officials "have no duty to report to the Immigration and Naturalization Service knowledge they might have" about a person's immigration status or to enforce the civil aspects of the federal immigration laws;

WHEREAS, the City and County of San Francisco declines to commit or expend any city or county financial or other resources to assist the INS in the enforcement of federal immigration law or to gather and disseminate information regarding the immigration status of individuals living in the City and County of San Francisco that is not required by federal or state statute, regulation or court decision;

THEREFORE, BE IT RESOLVED, that the City and County of San Francisco affirms its declaration as a City and County of Refuge;

FURTHER RESOLVED, that the City and County of San Francisco affirms its support for H.R. 45 (Moakley) and S. 458 (DeConcini) which would provide temporary stays of deportation to Salvadorans already in the United States;

FURTHER RESOLVED, that the City and County of San Francisco affirms its commendation of the congregations who have declared themselves as sanctuaries for Salvadoran and Guatemalan refugees and have committed themselves to provide support, protection and advocacy for Salvadoran and Guatemalan refugees who live in the City and County of San Francisco;

FURTHER RESOLVED, that no department, agency, commission or employee of the City and County of San Francisco shall assist or cooperate in their official capacity with any Immigration and Naturalization Service (INS) investigation, detention, or arrest procedures, public or clandestine, relating to alleged violations of the civil provisions of the federal immigration law;

FURTHER RESOLVED, that no department, agency, commission or employee of the City and County of San Francisco shall assist or cooperate in their official capacity with any investigation, surveillance or gathering of information conducted by the governments of El Salvador and Guatemala;

FURTHER RESOLVED, that no department, agency, commission or employee of the City and County of San Francisco shall request information about or disseminate information regarding the immigration status of any individual or condition the provision of services or benefits by the City and County of San Francisco upon immigration status except as required by federal or state statute, regulation or court decision;

FURTHER RESOLVED, that all applications, questionnaires and interview forms used in relation to benefits, services or opportunities provided by the City and County of San Francisco shall be promptly reviewed and any question regarding immigration status other than those required by federal or state statute, regulation or court decision, shall be deleted within sixty days of the adoption of this resolution;

FURTHER RESOLVED, that the Human Rights Commission shall direct its Social Issues/Police Liaison Committee to review the compliance of the City and County departments, agencies, commissions and employees with the mandates of this resolution in particular instances in which there is a question of noncompliance or when a complaint alleging noncompliance has been lodged;

FURTHER RESOLVED, that the provisions of this resolution are severable and that if any provision of this resolution is declared by a court of competent jurisdiction to be contrary to any federal or state statute, regulation or court decision, or its applicability to any agency, person or circumstances is held invalid, the validity of the remainder of this resolution and its applicability to any other agency, person or circumstances shall not be affected.

FURTHER RESOLVED, that the Clerk of the Board send copies of this resolution to every department, agency and commision of the City and County of San Francisco and to Senators Cranston and Wilson, the California Congressional delegation, the Commissioner of the INS, the Attorney General and the Secretary of State and the President.

Draft 7/5/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

July 11, 1989

Mayor Art Agnos
City Hall
San Francisco, CA 94102

Dear Mayor Agnos:

The Human Rights Commission, through its Housing and Urban Development Committee, has reviewed the Affordable Housing Action Plan of the Mayor's Housing Advisory Committee and wishes to make the following comments.

First, we wish to express our thanks to the members and staff of the Advisory Committee whose commitment of time and energy is evidenced by the scope and quality of their report.

While there are many excellent recommendations which we can support, such as increasing the amount of local money spent to preserve and develop affordable housing and establishing housing priorities for families with children and persons with disabilities, we want to restrict our comments to those areas in which the Human Rights Commission has expertise and responsibility. These include concern for the those who have traditionally been excluded from a full range of housing opportunities, particularly those with very low income and a commitment to preserving the City's racial, ethnic and economic diversity.

We especially applaud and support the report's recognition of the link between affordable housing and maintaining an ethnically and economically diverse population which is "essential to the long term vitality and spirit of the City." (Page 70)

It is with this as an underlying principal that we make the following comments.

We strongly support Key Findings Nos. 8, 9, and 11 (Page 36) by which the Plan acknowledges the pre-eminent demands of those in greatest need and the importance of addressing these needs at every stage of the planning and development process.

Because of those Key Findings we believe it is consistent that the Housing Coordinating Group be expanded to include the Directors or their representatives from the Human Rights Commission and the Rent Arbitration Board. Not only do preserving the rights of low income residents and insuring maximum access to the housing market for all San Franciscans play an important role in the Plan, but these efforts, as we address below, have

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the broadest and least expensive impact on the problem. These two departments represent tenants and members of special populations, and by giving them representation on the Coordinating Group will raise the visibility of these Residents and their issues and assure that they are not shunted aside by competing interests. Furthermore, the inclusion of these two agencies, and by extension their constituencies, will serve to assure public access to the meetings and deliberations of the Group. It will also allow the Human Rights Commission adequate time in which to evaluate development proposals to determine their 'social impact' and whether they address the goals delineated in the Plan.

Although preserving the existing affordable housing stock has been correctly identified as one of the Objectives (III page 65), there is not enough specificity devoted to how this is to be accomplished. The Plan needs to call for the strenghtening of existing laws which address these issues, such as condominium and commercial conversions, demolition, rent increases and evictions, as well as the meaningful and effective enforcement of these laws. The affordable housing which presently exists, especially that occupied by low-income residents, is the most efficient and economical to provide and maintain. Preserving this stock, and protecting the present occupants should be given a prominent place in the plan and adequate resources should be committed to carrying it out. Effective regulation demands that an aggressive effort be made to enforce these laws.

Preservation of existing affordable housing is not limited to rent control or vacancy control although such legislation affects the greatest number of people at the lowest cost per unit. Equally important are such activities as supporting the acquisition of residential properties by non-profit development corporations, requiring and enforcing just cause for all evictions, controlling residential real estate speculation, and other governmental actions designed to prevent the depletion of the affordable housing stock. It is important that the City's commitment be backed by allocating sufficient resources to insure strict compliance. If the City Attorney/District Attorney sought attorney's fees and pressed for damages in these cases, such enforcemnt programs might even become self-supporting.

The City should strengthen its commitment to insuring equal accessibility to all housing for those who have traditionally been the victims of discrimination. This would include such special populations as persons with disabilities and families with children, but would also include racial and ethnic minorities, single parents and lesbian and gay people. With the recent passage of the federal Fair Housing Amendments Act of 1988 and the expansion of state and local fair housing laws, significant administrative and legal tools are now available to insure these rights. Providing adequate funding for fair housing counseling, investigation, mediation and enforcement, both by the City and non-profit organizations, would be a quick and economical method of increasing the housing supply for these groups.

Where public funds or regulations are involved, the City must impose consistent and enforceable requirements that developers, owners and managers develop and implement meaningful affirmative marketing programs, including outreach campaigns and accessible developments. The City should go further and require that management of publicly-assisted developments reflect the highest standards of public policy including assisting and working with tenants associations and using alternative dispute resolution models to deal with problems.

While the commission encourages increasing the development of affordable housing opportunities for all San Francisco residents, such methods should not have the effect of displacing existing residents to achieve that end. We noted that many new sites for future affordable housing identified by the task force are located in low-income minority areas of the City such as the Inner Mission, South of Market and the Third Street Corridor. Although the proposed plan calls for re-zoning of non residential land to be developed into residential areas for new housing, there should be strong anti displacement restrictions before any project is approved. This is especially critical given the recent study by the Center on Budget and Policy Priorities in Washington which indicated that the housing crisis has disproportionately impacted on racial and ethnic minorities. While minority communities are often promised the benefits of such programs, the results rarely meet the high expectations which were held out. Without meaningful subsidies, adequate relocation and the guaranteed right to return, such programs may be nothing more than excuses for displacement.

Finally, the Human Rights Commission is willing to assist in the project approval process by holding community forums as a means of diffusing neighborhood oppostion to affordable housing developments as well as providing a conduit for public comment and participation.

In conclusion, we want to reiterate our support for the principal point of the plan, that the City must dramatically increase its financial and political commitment to preserving and increasing the affordable housing stock in San Francisco. This includes giving priority to those in greatest need and protecting and promoting the rights of special needs populations, including racial and ethnic minorities. We believe the Human Rights Commission can play a significant role in the effective implementation of this plan and we urge consideration of our recommendations.

Sincerely,

Lawrence B. Martin

Lawrence B. Martin
Chair

LBM:DH:se:np

[AA/DH] CORR3

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, July 20, 1989

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NEXT MEETING

DATE: Thursday, August 10, 1989
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commission Chair Lawrence B. Martin at 12:12 P.M.

PLEDGE OF ALLEGIANCE

Due to the absence of a Flag, the Pledge of Allegiance was not recited.

ROLL CALL

Commissioners

Present:	Lenore Chinn, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding) and Isadore Pivnick.
Excused:	Adrian Bermudez, Jr., Rosemarie Fernandez, Frankie Gillette, Leonard Graff, May Jaber, and Peter Sammon.
HRC Staff	Adelbert Campbell (Deputy Director), and Gail P. Roberts.

A quorum of Commissioners was not established.

SPECIAL ORDER

Review of Proposed Charter Amendment establishing HRC as a Charter Commission.

Commissioner Martin observed that there appeared to be agreement between the Mayor's Office and Supervisor Willie B. Kennedy on this charter amendment; each party's input had been incorporated.

Commissioner Lockhart, expressing Commissioner Graff's as well as her own concerns, stated that the HRC is the "body of interest" and there had been no dialogue with either Supervisor Kennedy's Office or the City Attorney's Office. There is now a very tight time line, response needed by Monday, July 24, and no process has been established. Commissioner Lockhart concurred with the recommendation conveyed from Commissioner Graff that the charter amendment be postponed from the November 1989 to the June 1990 ballot.

Commissioner Chinn observed that November 1989 is an "off year" election and ballot measures at that election might be facing the backlash of the Domestic Partnership Ordinance on the same ballot. Commissioner Chinn inquired what would happen if the charter amendment did not pass. Commissioner Martin responded that it would not jeopardize the HRC because the HRC is already an ordinance commission. Commissioner Chinn wondered if there was a compelling reason to move ahead at this time with the charter amendment. Commissioner Kai related that the Board of Supervisors was scheduled to vote on the ballot measures for the November election July 31, 1989. Commissioner Lockhart verbalized that it was inconceivable that this charter amendment was put together without input from the HRC.

Commissioner Kai inquired how receptive Supervisor Kennedy would be to change. Commissioner Chinn observed that "we are all the same team". Commissioner Martin explained that Supervisor Kennedy, author of the proposed charter amendment, would be available to meet with representatives of the HRC at 2:00 PM, Friday, July 21, 1989. Deputy Director Campbell stated that it was very important for Commissioners to meet with Supervisor Kennedy. Of the Commissioners present, Commissioner Kai would be available for the meeting.

Commissioner Pivnick recommended that a letter be sent to Supervisor Kennedy, explaining that those in attendance at this meeting had concerns including the timing of the election and some of the wording of the amendment which might create problems in the future, reiterating that "we are all on the same team" and that we appreciate the opportunity to meet with her. Commissioner Pivnick noted that one issue raised when limiting Supervisors' terms was on the ballot was its impact on existing Supervisors and recommended that reference be made to existing Commissioners.

Interim Commission Secretary Gail P. Roberts requested clarification: were there to be two letters: one to the Mayor and one to Supervisor Kennedy? Commissioner Martin responded that there was to be one letter to Supervisor Kennedy with a cc to the Mayor's Office.

General discussion focused on the specific concerns. These were articulated as:

Substitute "related to" for "because of" on page 2, 3.699.5-1 (a) line 3.

Add "alleged" to "discrimination" on page 2, 3.699.5-1 (a) line 9.

Add "economic status" and "marital status" to page 2, 3.699.5-1 (a) line 5.

Recommended that reference be made to an Executive Director in 3.699.5 Commission, Composition.

Recommended that the City Attorney be questioned regarding 3.699.5-1 (g) on page 3 "to represent citizens before said agencies".

Divide 3.699.5-1 (h) into two sections.

1. "initiate proposed programs of voluntary affirmative action to reduce or eliminate existing inequalities and disadvantages in the City and County resulting from past discrimination practices" and

2. "Implement, coordinate, and monitor programmed voluntary affirmative action adopted by the Board of Supervisors to reduce or eliminate existing or identified inequalities and disadvantages resulting from past discriminatory practices in the City and County or in the award of city contacts".

Change "citizens" to "residents" on page 3 3.699.5-1 (g) on lines 4 and 7.

Recommend the addition of a "Declaration of Policy".

Recommend that wording of 3.699.5-1 be modified to indicate that the Commission is responsible for setting policy and overseeing staff who, under the Executive Director, are responsible for carrying out the prescribed duties. This would put the HRC more in line with the wording for other charter commissions.

Commissioners reiterated that placing the charter amendment on the June 1990 ballot would allow more time to mobilize a campaign in support.

Interim Commission Secretary Roberts was to contact those Commissioners not in attendance to determine their availability to attend the Friday, July 21, 1989 meeting with Supervisor Kennedy.

Commissioners Kai and Pivnick stressed that they want the HRC to be the "best Commission for the City", and for the HRC to act responsibly. Commissioner Lockhart observed that some of the public had not taken the HRC seriously. Commissioner Martin responded that the HRC was slowing turning this perception around.

The special meeting of the Human Rights Commission was adjourned by Commission Chair Lawrence B. Martin at 1:02 PM.

Respectfully submitted,

Adelbert Campbell
Deputy Director

via Gail P. Roberts
Interim Commission Secretary

AC:GPR:bct

(HRC/Min)CORR3

Commissioner Kai inquired how receptive Supervisor Kennedy would be to change. Commissioner Chinn observed that "we are all the same team". Commissioner Martin explained that Supervisor Kennedy, author of the proposed charter amendment, would be available to meet with representatives of the HRC at 2:00 PM, Friday, July 21, 1989. Deputy Director Campbell stated that it was very important for Commissioners to meet with

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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REGULAR COMMISSION MEETING

Thursday, August 10, 1989
Auditorium, Room 300
Department of Public Health
TIME: 9:00 A.M.

AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Approval of the Minutes of the Meetings of Thursday, July 13, 1989 and Thursday, July 20, 1989.
4. Communications
5. Report of the Chairperson
6. Director's Report
    Special Item: Acceptance of Board of Supervisors' Certificate of Honor initiated by Supervisor Willie B. Kennedy
7. Standing Committees:

ADMINISTRATIVE:

A. Acceptance of Domestic Partnership Public Hearing Report and Adoption of Recommendations

B. Proposed Charter Amendment establishing HRC as a charter commission

C. Committee Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon
Chairperson

A. Reporter's Transcript of "Unfinished Business" Public Hearing

B. City of Refuge Resolution: Status Report

C. Hate Violence/Crimes: Request for Public Hearings

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A. Approval of letter of appreciation to Mayor Agnos for budgetary items in support of children and youth

B. Committee Report

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Commissioner Kai inquired how receptive Supervisor Kennedy would be to change. Commissioner Chinn observed that "we are all the same team". Commissioner Martin explained that Supervisor Kennedy, author of the proposed charter amendment, would be available to meet with representatives of the HRC at 2:00 PM, Friday, July 21, 1989. Deputy Director Campbell

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Approval for HRC participation in State AIDS Legal Services Association grant application to Apple Computer.

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

A. Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

A. Staff Report

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

No Report.

8. New Matters

   A. Report on his recent trip to Nicaragua: Commissioner Adrian Bermudez, Jr.

9. Calendar Matters

10. Remarks from the Audience

11. Adjournment

12. Executive Session on personnel matters will follow.

GPR:np
M/GPR[PLN]

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, August 10, 1989

Next Meeting

Date: Thursday, September 14, 1989
Time: 9:00 AM
Place: Auditorium, Room 300
Department Of Public Health
101 Grove Street

The meeting was called to order by Commission Chair Lawrence B. Martin at 9:05 AM.

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), Isadore Pivnick and Peter Sammon.

Excused: None

HRC Staff: Peter Jamero (Executive Director), Frank Anderson, Adelbert Campbell, Gladys Dodds (intern), James Fields, Don Hesse, Ed Ilumin, Eric Mar (intern), Norm Nickens, Richard Norton, Gail P. Roberts, and Alan Tafapolsky (intern).

Guests: Clint Hockenberry, AIDS Legal Referral Panel; Lester Olmstead-Rose, Community United Against Violence; and Michael Wong, Break the Silence.

MINUTES

It was

****m/s/c to approve the minutes of the regular meeting of Thursday, July 13, 1989 with the following corrections: change "designed" to "designated " on page 4, correct the spelling of "concensus" to "consensus" on page 5, replace "specify" with "designate" and change "person" to "persons" on page 6.

It was

****m/s/c to approve the minutes of the special meeting of Thursday, July 20, 1989 as mailed.

COMMUNICATIONS

A copy of a letter to the Honorable Art Agnos, Mayor, from Michael J. Welton, CPM, General Manager, the Fillmore Center, dated June 23, 1989, responding to the Mayor's letter of June 21, 1989 and stating that he and his staff will meet with the HRC staff to review the Fillmore Center's presentation and dissemination of leasing information.

FROM Art Agnos, Mayor, To All Department Heads Personnel Officers, a memorandum received July 11, 1989, regarding cultural diversity and strongly supporting the efforts of the Civil Service Commission's Equal Employment Opportunity Unit to survey those departments which experience workforce tension related to language, and to curtail any fears of speaking other languages.

TO Peter M. Jamero, Director from John J. Walsh, General Manager, Personnel, Civil Service Commission, a memorandum received July 19, 1989 announcing a forum to discuss recent Supreme Court rulings affecting affirmative action programs to be held August 2, 1989 at 9:30 AM.

A copy of a letter to the Honorable Rosemarie Fernandez from Mayor Art Agnos, a letter received July 28, 1989 accepting her resignation from HRC, expressing gratitude to her for her contributions to the Commission and for her support in working to strengthen it, and conveying a certificate acknowledging her hard work and support of the Human Rights Comission.

To Peter M. Jamero, Executive Director, from Louise H. Renne, City Attorney, and Burk E. Delventhal, Deputy City Attorney, a letter received July 28, 1989, advising the HRC that in no instance vacancies in office, abstention, or disqualification is the number of members required to make up a quorum for the transaction of business affected.

To James Fields, Contract Compliance Representative, from Commissioner Isadore Pivnick, Chair, Youth and Education Committee, a letter dated August 8, 1989, expressing gratitude, on behalf of the Youth and Education Committee for his service to the Comittee and wishing him well.

To Rosemarie Fernandez from Commissioner Lawrence B. Martin, expressing deep appreciation for her service as a Commissioner on the Human Rights Commission.

Waiver Request Granted 1. MBE/WBE/LBE waiver for the Clean Water Program of the Department of Public Works to award a $100,000 personnel services contract to Duffy and Duffy granted July 14, 1989. 2. Waiver of LBE requirement on bid preference for the construction of the San Francisco General Hsopital Multidisciplinary Molecular Biology/AIDS Research Center from the Director of Public Works granted July 17, 1989. 3. MBW/WBE/LBE waivers for a $7,008,886 contract to Facilities Management, Inc. and a $10,000 to Edgard Dunn and Conover from the Convention Facilities Department granted July 25, 1989. 4. MBE/WBE waiver for a $100,000 refuse collection and disposal rate review assistance contract from the Solid Waste Management Program of the Chief Administrative Office granted August 1, 1989. 5. MBE/WBE waivers for a floor coating for Pier 35 and a sunken ship raising and removal emergency contracts from the Port granted August 2, 1989. 6. MBE/WBE/LBE waiver for a $155,000 contract to Business Development Inc. from the Clean Water Program of the Department of Public Works granted August 3, 1989.

Newspaper Clippings 1. San Francisco Examiner July 26, 1989 Neighborhood Report announcing the Reception celebrating the 25th anniversary of the HRC. 2. San Francisco Chronicle July 27, 1989 editorial commending the Human Rights Commission as an "engine of change" as it marks its 25th anniversary. 3. San Francisco Examiner July 28, 1989 "S.F. rights panel turns 25" article reported on the 25th anniversary reception. 4. Bay Area Reporter August 3, 1989 "Human Rights Commission" marks 25th anniversary article describing the reception, quoting from speakers and separate interviews. The accompanying pictures were of Commissioner Lenore Chinn and HRC staff member Jackie Winnow

and of Commissioner Lawrence Martin, Lieutenant Governor Leo McCarthy and Mayor Art Agnos singing. 5. The Sun Reporter August 2, 1989 "Malveaux At Large" column by Julienne Malveaux entitled "The Price of the Ticket and the Way It Really Was."

REPORT OF THE CHAIRPERSON

Commission Chair Lawrence B. Martin thanked Commissioners, staff and all involved for contributing to the success of the July 27 reception honoring the 25th anniversary of the HRC. The event was well attended and well handled. We all wanted the reception to be successful and it was.

Commissioner Martin explained that the City Attorney's Office was reviewing the legality of the Commission holding its retreat outside of San Francisco. The Chair stated that he wanted the planning for this retreat expedited.

Commissioner Martin related that he will be meeting with the 25 Van Ness Avenue building management representatives and he wanted the move expedited.

DIRECTOR'S REPORT

Executive Director Peter M. Jamero explained that an analysis of San Francisco retreat sites, a time table, and a memo describing the preliminary focus for the Commissioners and Management Staff retreat will be distributed.

The implementation of the MBE/WBE/LBE Ordinance-II is preceeding on schedule. The computerized data collection system is being developed to track MBE/WBE data. This is really a City coordinated system and HRC is working cooperatively with the Controller and Purchasing. A supplemental appropriation for $280,000 is in process. The needs for these funds were noted as part of HRC's presentation to the Finance Committee of the Board of Supervisors during its deliberation of the FY 89-90 General Fund budget. Two staff: a Management Information Specialist and a Data Entry Operator will be hired. Data processing equipment, including two PCs will be obtained. The Executive Director expressed the intention of maximizing the utilization of this new staff and equipment beyond the MBE/WBE program. Director Jamero observed that review of the MBE/WBE/LBE Ordinance II appears to be in order and a presentation will be scheduled for a September Commission meeting.

The Opportunity Trade Fair, sponsored by the Bay Area Purchasing Council, will be held August 15 and 16 1989 in the Civic Auditorium. The HRC, with the Purchasing Department and the Mayor's Task Force on Affirmative Action, will share an exhibit at the Fair. The Executive Director observed that this was the first time, to his knowledge, that the HRC sponsored an exhibit at the Trade Fair.

Director Jamero announced that Jacquie Hale, the Coordinator for the Commission on the Status of Women, is in the process of being transferred to the HRC. To begin the transition process, she is assuming responsibilities as Legislative Liaison August 7, 1989. Ms. Hale will ensure better communication with City Hall and keep HRC aware of pending legislation which impacts this agency. Jacquie Hale will focus initially on local legislation, monitor Board and Committee calendars and meetings, and will be broadening her activities to the state and federal levels for issues impacting on the HRC.

Under Civil Service Commission rules, COSW staff have rights to HRC Coordinator and Representative positions. The HRC had the positions in its budget to accommodate Jacquie Hale and one and a half Representative

positions; therefore, Panetta Scott and Carolyn Hom will be working at the HRC. Chapter 33 of the Administrative Code establishing COSW as an independent commission passed the Board of Supervisors July 31, 1989 and is awaiting the Mayor's signature. The transition period for COSW is expected to be two to three months.

Since July 13, 1989 Commission meeting, eight waivers have been granted. A summary of these waivers is included in the correspondence file in conformity with Sec 12D 15 B (2) of the MBE/WBE/LBE Ordinance requiring reporting at the first Commission meeting following the granting of the waiver. At the September 14, 1989 Commission meeting, staff will report on any pattern of waiver requests which is emerging.

Commission Chair Martin had already mentioned the successful FHRC July 27, reception. The acceptance of the Board of Supervisors Certificate of Honor initiated by Supervisor Willie B. Kennedy, listed on this agenda, will be delayed until the September 14, 1989 Commission meeting in order to combine, at one time, awards to be accepted. This will be a part of the report by Jane Morrison, President of the Friends of the Human Rights Commision, on the 25th anniversary celebration.

Director Jamero announced, with sadness that Jackie Winnow, Lesbian/Gay Coordinator, has taken an extended medical leave of absence as of August 3, 1989 due to recurrence of a medical problem. Following the suggestion of the Executive Director, the Commission, by consensus, authorized the sending of a letter to Jackie Winnow. Norm Nickens has consented to become Lesbian/Gay Coordinator. Mr. Nickens, observed Director Jamero, is a very able person and ready and willing to assume the duties. Staff is moving ahead to fill the position of HIV Discrimination Representative, vacated by Norm Nickens.

Director Jamero announced that Commissioners Frankie Gillette was mentioned prominently in an article in a recent issue of Ebony magazine.

Commissioner Lockhart commented that the Director's Report contained a good deal of information. She was particularly interested in the process for implementing the MBE/WBE Ordinance and inquired as to the responsibilities of the Management Information Specialist.

STANDING COMMITTEES

ADMINSTRATIVE

- Acceptance of Domestic Partnership Public Hearing Report and Adoption of Recommendations

Director Jamero called upon Lesbian/Gay Coordinator Norm Nickens to introduce the action to be taken. Mr. Nickens stated that the Domestic Partnership Public Hearing Report is to be accepted and the Recommendations are to be adopted. The report and the Recommendations have been reviewed by staff.

It was

****m/s/c on the motion of Commissioner Chinn and the second of Commissioner Gillette, the Human Rights Commission accepted the Domestic Partnership Public Hearing Report and adopted the Recommendations.

- Proposed Charter Amendment establishing HRC as an charter commission.

Commissioner Martin observed that there had been a good deal of discussion regarding the proposed charter amendment establishing the HRC as a charter commission, the absence of HRC input and the need for greater involvement in the process. A committee of Commissioners requested a meeting with Supervisor Willie B. Kennedy, author of the charter amendment. Commissioner Graff reported that he and Deputy Director Bert Campbell met with Supervisor Kennedy July 21, 1989. They agrued that the proposed charter amendment be postponed from the November, 1989 to the June, 1990 ballot, having expressed concern with the timing of the vote. According to Comissioner Graff, Supervisor Kennedy objected to this "last minute" request. There was miscommunication. Commissioner Kai reported on the July 24, 1989 Board of Supervisors' meeting which she attended because annoucement of the HRC charter amendment was calendared. When Supervisor Kennedy was reluctant to commit herself on what action she would take, Commissioner Kai spoke with other Supervisors, explaining that she was speaking as an individual and not as a representative of the HRC. Some of these Supervisors, in turn, spoke with Supervisor Kennedy, who agreed to delay the proposed charter amendment until the June, 1990 ballot.

Commissioner Kai reported that Deputy City Attorney Mara Rosales attended the August 3, 1989 meeting of the Administrative Committee and provided background information on the drafting of the amendment. Staff provided information on pertinent Charter provisions, Commissioner Lockhart, noting that there had not been time for official action by the HRC, related that she personally contacted the Mayor's Office. The person with whom she spoke stated that the HRC's response was rational. Commissioner Martin stated that the original plan was for the Mayor's Office and Supervisor Kennedy's office to work together in the development of a draft; however, this did not occur and the Mayor's Office was "in the dark" regarding the draft. Commissioner Martin had volunteered to contact Supervisor Kennedy's office to determine whether they would be establishing a city-wide committee of which HRC would be a part, to deal with the proposed charter amendment.

Commissioner Graff inquired as to the time line for Charter amendments to be on the June 1990, ballot. He wanted to ensure that HRC acted in ample time.

- Committee Report

Commissioners Martin and Kai presented the report jointly as both had chaired the August 3, 1989 meeting of the Administrative Committee. Commissioner Martin related that the nomination process and criteria for Vice-Chair had been discussed. Commissioner Kai stated that the Committee received status reports on the public hearings and the forum which will be discussed under their respective committees. Director Jamero explained that the approach to hate violence will be discussed in detail under Social Issues/Police Liaison and added that it is very important to have a coordinated effort. The Commissioner and Managment Staff Retreat was discussed at some length at the meeting.

It was then

****m/s/c that the Commission accept the Administrative Committee Report.

- Election of Vice Chair of the Commission

Commissioner Martin opened the floor for nominations for Vice Chair of the Commission. Commissioner Karen Kai's name was placed in nomination by Commissioner Graff and seconded by Commissioner Sammon. Commissioner Lenore Chinn's name was placed in nomination by Commissioner Jaber and seconded by Commissioner Lockhart. Commissioner Isadore Pivnick was nominated by Commissioner Gillette; however, Commissioner Pivnick declined with thanks.

It was then

****m/s/c on the motion of Commissioner Gillette and the second of Commissioner Lockhart, the Commission closed nominations for Vice Chair.

Because a voice vote was not definitive, a show of hands was requested by the Chair. Commissioners Gillette, Graff, Kai, Lockhart, Martin, Pivnick, and Sammon voted in favor of Commissioner Kai. Commissioner Bermudez, Chinn, and Jaber voted in favor of Commissioner Chinn. Commissioner Kai was declared the Vice Chair of the Commission. It was then

****m/s/c on the motion of Commissioner Kai and the second of Commissioner Graff, that the Comission accept the report of the nominating comittee.

LESBIAN/GAY ADVISORY

- Approval for HRC participation in State AIDS Legal Services Association grant application to Apple Computer

Lesbian/Gay Advisory Committee Chair Commissioner Graff called upon Committee Staffer Norm Nickens, who thanked the Commissioners for taking this issue out of order. Mr. Nickens stated that he was seeking a letter of suppport indicating that HRC will participate.

Clint Hockenberry, the Administrator of the San Francisco AIDS Legal Referral Panel, explained that the intent of the grant is to facilitate the development of a computerized network of AIDS legal services, including uniform software and case tracking systems. Mr. Hockenberry stated that the computers acquired through this grant will help with inter-agency networking as well as assisting in the internal operations of an agency. Comissioner Pivnick inquired if there would be any cost to the HRC. Mr. Hockenberry stated that the agency contact person would require two to three days of training. The monthly user cost for the AIDS Legal Referral panel was estimated at $45.00. For other participants, including the HRC, the cost will be less.

it was then

****m/s/c on the motion of Commissioner Graff and on the second of Commissioner Chinn, that the Human Rights Commission authorize a letter confirming HRC participation in State AIDS Legal Services Association grant application to Apple Computers.

SOCIAL ISSUES/POLICE LIAISON

- Reporter's Transcript of "Unfinished Business" Public Hearing

Social Issues/Police Liaison Committee Chair Commissioner Peter S anounced that copies of the reporter's transcript of the "Unfinished Business" public hearing have been received by Commissioners. Copies transcript were distributed to member of the Committee at its August meeting at which time Committee members volunteered to analyze specif sections of the transcript. Recommendations are to be sent to staff August 30, 1989. These recommendations will then be sent to the Comm advance of its September 5, 1989 meeting. The final report is antici mid October. Commissioner Sammon described the transcript, four sect about 25 pages each: 1. introduction, 2. police, 3. community groups specfic expertise, and 4. organizations and individuals. In addition written materials were included. Commissioner Sammon encouraged Commissioners to review a section or the written materials and their recommendations were welcomed. Commissioner Lockhart called particul attention to Commissioner Sammon's questions. Commissioner Sammon in who was responsible ultimately for the San Francisco Police Departmen question that the role of neither the Office of Citizen Complaints no Police Commission is satisfactory now. OCC is required to go first t Chief of Police with its finding and cannot go directly to the Police Commission.

- City of Refuge: Status Report

Commissioner Sammon related that the preliminary draft of this Re had been approved by the Commission at its meeting of July 13, 1989. Mayor's Office and six Supervisors have been met with to secure their support. Comissioner Sammon explained that this Resolution is aimed a who qualify as political refugees; however, restrictions on City and departments helping the Immigration and Naturalization Service applie refugees. Commissioner Sammon clarified that HRC's role is to receiv complaints, not be be a "watch dog". It is anticipated that the City Refuge Resolution will be presented to the Board of Supervisors in ea September.

- Hate Violence/Crimes

Social Issues/Police Liaison Committee Vice Chair Commissioner Lu Lockhart provided an overview. It is proposed to hold two public hea Commissioner Lockhart described a two page "Prospectus" San Francisco Hearings on Hate Violence, copies of which were distributed to the Commissioners. The HRC is working coopertively with the Coalition on Rights on Hate Violence/Crimes issues. Their next meeting is schedul Friday, August 18, 1989. It is proposed that the Social Issues/Polic Committee of the HRC and the Civil Rights Coalition jointly sponsored hearings. Commissioner Martin referenced a letter from Mayor Art Agn Director Peter Jamero with copies to members of the Commission, recei August 9, 1989, in which the Mayor transmitted the Resolution and cal the HRC to hold hearings and submit a report.

General discussion ensued regarding the appropriateness and legal jointly sponsored hearings. A motion by Commissioner Lockhart and se by Commissioner Graff authorizing jointly sponsored hearings was with

Commissioner Graff stated that there were two guests present to speak to the proposal for public hearings.

Lester Olmstead-Rose introduced himself as officially representing Community United Against Violence (CUAV) and as speaking on behalf of the Coalition on Civil Rights (CCR) and also was a member of the Lesbian/Gay Advisory Committee. Mr. Olmstead-Rose explained that CCR had requested of the Board of Supervisors that the Resolution which initially only urged that the Police Department designate a Hate Crime unit be amended to specify that the HRC hold public hearings and that a comprehensive plan be developed. Mr. Olmstead-Rose stated that the holding of public hearings was not an end in itself, but was rather a vehicle to focus attention on a problem that both the community and the government need to address cooperatively. Secondly, the Coalition on Civil Rights wants a role in this process as they have real expertise in this area. In addition, the holding of public hearings is a very concrete means for the HRC to work cooperatively with the community. Mr. Olmstead-Rose stated that two days rather than one day are most appropriate for the hearings and he added that the HRC had held two days of public hearings on a given issue previously. Mr. Olmstead-Rose expressed pleasure with the appointment of Jacquie Hale as HRC's Legislative Liaison and for her assistance in clarifying the process for legislation.

Michael Wong of Break the Silence, a group fighting anti-Asian violence, expressed strong support for the development of a comprehensive plan which would put together the many "strands" working on hate violence. Mr. Wong stated that he favors joint sponsorship of the hearings.

It was then

****m/s/c, on the motion of Commissioner Lockhart and by the second of Commissioner Graff, that the Human Rights Commission authorize the holding of a public hearing or hearings on hate violence.

It was then

****m/s/c, on the motion of Commissioner Graff and on the second of Commissioner Sammon, that the Commission accepted the Social Issues/Police Liaison Committee Report.

YOUTH AND EDUCATION COMMITTEE

Approval of a letter of appreciation to Mayor Agnos for budgetary items in support of children and youth

Youth and Education Committee Chair Commissioner Isadore Pivnick stated that the Committee had requested the sending of a letter of thanks to the Mayor, noting that the Mayor receives many complaints, but is rarely thanked.

It was then

****m/s/c on motion of Commissioner Pivnick and on the second of Commissioner Graff, that Human Rights Commission approve a letter of appreciation to Mayor Agnos for budgetary items in support of children and youth.

- Committee Report

Commissioner Pivnick thanked Gail P. Roberts and Gladys Dodds for doing the transcript of the Community Forum on Youth and Crack Cocaine and for working on recommendations. Staff sent letters to the speakers whose testimony was not transcribed due to technical difficulties requesting summaries of their presentations or written materials.

It was then

****m/s/c on the motion of Commissioner Graff and on the second of Commissioner Kai, that Commission accepted the Youth and Education Committee Report.

EMPLOYMENT

- Committee Report

Employment Committee Chair Commissioner Frankie Gillette reported that the Committee met Thursday, August 3, 1989 at 1850 Mission Street and will next meet on September 7. The Employment Committee is in the process of learning about the organizations which their members represent. Commissioner Gillette expressed pleasure at having received the draft of the Report on the Summer Employment and Recreation Public Hearing from Eric Mar. The Employment Committee has developed a draft mission statement. Commissioner Martin stated that he wanted to meet with the Commissioners in the Employment Committee. It was then

****m/s/c, in the motion of Commissioner Graff and he second of Commissioner Sammon, that the Commission accept the Employment Committee Report.

HOUSING AND URBAN DEVELOPMENT

- Staff Report

Housing and Urban Development Committee Chair Commissioner Karen Kai called upon Committee Staffer Don Hesse. Mr. Hesse announced that the Affordable Housing Fair will be held Saturday, August 26, 10:00 A.M. to 4:00 P.M. at the Civic Center at Polk and McAllister Streets. The next meeting of the Committee will be at 3:30 P.M. on Tuesday, August 22, in Room 1200 of the State Building, 350 McAllister Street. Don Hesse explained that there has been no response from the Mayor's Office to the HRC's letter in support of the Mayor's Housing Advisory Committee's Action Plan. It was then

****m/s/c, in the motion of Commissioner Kai and the second of Commissioner Pivnick, that the Commission accepted the Housing and Urban Development Committee Staff Report.

MBE/WBE COMMUNITY ADVISORY

MBE/WBE Community Advisory Committee Commissioner May Jaber reported that the Committee is in the process of being put together.

NEW MATTERS

- Report on his recent trip to Nicaragua

Commissioner Adrian Bermudez, Jr. reported that he had a wonderful trip to Nicaragua and he met wonderful people. He has not seen his country in 15 years and is very proud of Nicaragua.

- Commendation and Public Acknowledge of Interns

Executive Director Peter Jamero publicly acknowledged the contribution of interns with whom the HRC has worked very closely. Gladys Dodds ends her internship August 25, 1989 so we are saying "good-bye". Gladys Dodds, Director Jamero observed, has done a "great job". Eric Mar, a law student intern who drafted the Summer Youth Employment and Recreation Public Hearing, will be remaining through the first semester of the 1989-90 school year. Commissioner Martin joined with Director Jamero in commending the interns.

CALENDAR MATTERS

Commissioner Sammon inquired as to the possible dates for the retreat. Commissioner Bermudez related that he would only be able to attend on weekends. Commissioner Martin stated, in response to Commissioner Lockhart's question, that he is recommending a two day retreat with the first night being overnight. After discussion of possible dates, the first choice was Saturday, October 21, and Sunday, October 22, while the second choice was Sunday, October 22, and Monday, October 23, 1989.

Gail P. Roberts, Interim Commission Secretary, announced that the Comission will be meeting twice in September: September 14, 1989 and September 28, 1989.

STANDING COMMITTEES

Administrative	Thursday, August 24, 1989 9:00 AM HRC Conference Room 509 1095 Market Street
Business Enterprise Advisory	Thursday, August 31, 1989 4:00 PM HRC Conference Room 509 1095 Market Street
Employment	Thursday, September 7, 1989 9:00 AM Room 1200, State Building 350 McAllister Street
Housing and Urban Development	Tuesday, August 22, 1989 3:30 PM Room 1200, State Building 350 McAllister Street
Social Issues/Police Liaison	Wednesday, September 6, 1989 9:00AM Room 1157, State Building 350 McAllister Street

Youth and Education Committee
Thursday, August 17, 1989
3:00 PM
Room 1200, State Building
350 McAllister Street

Remarks from the Audience

There were no remarks from the audience.

EXECUTIVE SESSION

Commissioner Martin announced that an Executive Session on personnel matters is calendared for every other Commission meeting; however, there was nothing for discussion today.

ADJOURNMENT

The regular meeting of the Human Rights Commission was adjourned by Commission Chair Lawrence B. Martin at 10:50 AM.

Respectfully submitted,

Peter M. Jamero
Executive Director
via Gail P. Roberts
Interim Commission Secretary

PMJ:GPR:bclp:ad:bct
HRC/Mins.(Digital)

101 Grove Street

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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REGULAR COMMISSION MEETING

Thursday, September 14, 1989
Auditorium, Room 300
Department of Public Health
Time: 9:00 AM

AGENDA

1. Roll Call
2. Pledge of Allegiance

Special Items:

-Friends of the Human Rights Commission Report on HRC's 25th Anniversary: Jane Morrison, President, FHRC Board of Directors
-Acceptance of Certificate of Honor

3. Approval of the Minutes of the Meeting of Thursday, August 10, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

A. Adoption of Employment Committee's Mission Statement
B. Request for Establishment of an African American Task Force

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

A. Acceptance of MBE/WBE/LBE Close Out Report for FY 88-89
B. Report on Waiver Requests
C. Review of the MBE/WBE/LBE Ordinance II
D. Committee Report

ADMINISTRATIVE

A. Commission approval for grant applications to OCD
B. Planning for Commissioners and Management Staff Strategic Planning Retreat
C. Restructuring of Administrative Committee
D. Committee Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon Chairperson

A. Planning for Hate Violence Public Forum
B. Progress Report on "Unfinished Business" Public Hearing and Recommendations

101 Grove Street

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A. Committee Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen Kai, Chairperson

No Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

GPR:bclp
Mtg.1/Agenda

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, September 14, 1989

NEXT MEETING

DATE: Thursday, September 28, 1989
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commission Chair Lawrence B. Martin at 9:05 A.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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ROLL CALL

Commissioners

Present:	Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), Isadore Pivnick, and Peter Sammon
Excused:	Leonard Graff
HRC Staff	Peter M. Jamero (Executive Director); Frank Anderson, Adelbert Campbell, Linda Chin, Frederique Clermont (intern), Paul De Rosa (intern), James Fields, John Hurst (intern), Ron Martinez (intern), Clemente Newball-Obregon, Gail P. Roberts, David Treanor, Pansy Ponzio Waller, and Gary Wong.
Guests:	Jane Morrison, Friends of the Human Rights Commission; and Sam Williams, San Francisco Quality Life Network

SPECIAL ITEMS

- Friends of the Human Rights Commission Report on HRC's 25th Anniversary

Commissioner Martin introduced Jane Morrison, President, FHRC Board of Directors. Ms. Morrison in turn thanked Commissioner Martin for obtaining Labor support and funding of the reception, noting that this was indicative of union commitment to human rights. Approximately 600 to 700 persons were in attendance at the reception, reflective of the support the HRC enjoys. Jane Morrison related that a primary purpose of the FHRC was to build support for the HRC. Ms. Morrison summarized the packet distributed to Commissioners describing the media coverage of HRC's 25th anniversary and attaching copies of newspaper clippings and letters of confirmation of PSAs (public service announcements) broadcasts; Ms. Morrison expressed pleasure with the great support from radio and television and from the ethnic press.

A Certificate of Honor, initiated by Supervisor Willie B. Kennedy and signed by Supervisor Doris M. Ward, will be presented to Executive Director Jamero for display in the HRC offices. Ms. Morrison reported that State Senator Milton Marks had authorized a resolution commemorating the 25th anniversary.

Commissioner Martin thanked Jane Morrison for all of her work and for the information provided. In turn, Jane Morrison thanked everyone who contributed to the success of the reception.

- Youth Jobs Program

Frank Anderson, Secretary to the FHRC, explained the background of the Friends' Youth Jobs Program. As part of the settlement of a complaint of discrimination brought by Huel Washington against Duty Free Shoppers, Duty Free contributed to funding jobs and training for youth. The youth involved were high school students and members of the San Francisco Conservation Corps. A listing of the 22 students placed in agencies and the 34 young people who assisted with the HRC's 25th anniversary celebration was distributed to the Commissioners. Mr. Anderson noted the majority of the students placed were from the School for Business and Commerce, while most of those involved in the reception were from the San Francisco Conservation Corps.

MINUTES

It was
***m/s/c, on the motion of Commissioner Lenore Chinn and the second of Commissioner May Jaber, to approve the minutes of the regular meeting of Thursday, August 10, 1989, as mailed.

COMMUNICATIONS

To Larry Martin, Commission Chair, from Julianne Malveaux, President, San Francisco Black Leadership Forum, a letter received August 9, 1989, conveying congratulations on the celebration of the HRC's 25th anniversary and requesting a review of the status of Black San Franciscans in employment, entrepreneurship, education, political participation, health, and of children for the past 25 years.

To Julianne Malveaux, President, San Francisco Black Leadership Forum, from Lawrence B. Martin, Chairman, a letter dated August 21, 1989 welcoming the suggestion as to the status of Black San Franciscans and explaining that the Employment Committee will pursue the matter.

To Lawrence Martin, Human Rights Commission, from Lulann S. McGriff, NAACP, San Francisco Branch President, a letter received August 28, 1989, urging the HRC to form an African American Task Force in light of the high rate of unemployment, increasing drug problems, the dilemmas African Americans face with the Civil Service system, and also the inordinate amount of job and housing discrimination and police brutality complaints to the NAACP.

To Lulann S. McGriff, NAACP San Francisco Branch President, from Commissioner Lawrence B. Martin, Chair, explaining that the Employment Committee is pursuing these issues and that the Executive Director is investigating the feasibility of the proposal to form an African American Task Force.

A copy of a letter to Mayor Art Agnos, from Commissioner Naomi Gray for the Joint Commission Task Force, a letter received August 11, 1989, summarizing the first Joint Commission Task Force's public hearing on crack cocaine held June 12, 1989 at the Southeast Community College and announcing the second hearing to be held on Monday, August 21, 1989 from 4:00 P.M. to 7:00 P.M. at the Oceanview Recreation Center.

To Lawrence B. Martin, Chair, from George Fujioka, Chair, Contra Costa County Human Relations Commission, a letter received August 23, 1989, extending sincere congratulations on the occasion of the HRC's 25th anniversary.

To Peter Jamero from M. H. Geistlinger, Purchasing Department, a memo received August 23, 1989, expressing appreciation for his participation in the Bay Area Purchasing Council's 1989 Opportunity Faire.

To Leni Marin, Chair, Commission on the Status of Women, from Commissioner Lawrence B. Martin, Chair, expressing congratulations on her recent appointment and extending congratulations to her colleagues on the Commission. The HRC would be pleased to be of assistance.

To Frank Anderson and Norm Nickens from Peter M. Jamero, Executive Director, a memo dated August 31, 1989, confirming their appointment to serve as staff and members of the Charter Restructuring Task Force.

To Mayor Art Agnos from Commissioner Karen N. Kai, Chair, Administrative Committee, a letter dated August 31, 1989, requesting the reappointment of Commissioners Martin and Bermudez whose terms expire September 2, 1989.

To Gail P. Roberts from Peter M. Jamero, Executive Director, a memo dated August 31, 1989, recommending that the Youth and Education Committee look into the issue of Black students performances on test scores within the San Francisco School District.

To Rudy Nothenberg, Chief Administrative Officer, from Commissioner Lawrence B. Martin, Chair, a letter dated September 5, 1989, requesting a meeting seeking his input and guidance as to the future direction and priorities for the HRC and explaining the three-fold focus of the Strategic Planning Retreat scheduled for October 20, 21, and 22 for HRC Commissioners and Management Staff.

To Suzanne Ammons, Asilomar Conference Center, from Peter M. Jamero, Executive Director, a letter dated September 11, 1989, cancelling the reservation for the HRC's Strategic Planning Retreat scheduled for October 20, 21, and 22 in Asilomar.

From David Roberti, President Pro Tempore, California State Senate, to Lawrence B. Martin, Chair, a letter received September 11, 1989, responding to HRC's concerns about Senator Nielsen's continued involvement with the Senate Select Committee on AIDS and expressing support for Senator Nielsen's efforts to become better informed and to continue discussion on ways in which the Senate Select Committee on AIDS can work together.

A copy of a listing of City Commissions with the number of members noted.

REPORT OF THE CHAIRPERSON

There was no report by the Chairperson.

DIRECTOR'S REPORT

Executive Director Peter M. Jamero reported that the Governmental Operations Committee of the Board of Supervisors was holding hearings on a proposed subcontracting program, Chapter 12G of the San Francisco Administrative Code, to be administered by the HRC.

The Commission on the Status of Women has been reconstituted with the appointment by the Mayor of seven commissioners. Director Jamero attended its first meeting the previous week and pledged HRC's full cooperation with COSW.

The space available for HRC in 25 Van Ness Avenue and its most efficient use are being examined by a space planner. The move is planned for December of 1989.

The supplemental appropriation for management information staff and equipment, drawing upon $280,000 set aside by the Finance Committee for this purpose, is being processed. The Executive Director related that the Controller and the Purchasing Department have been most cooperative in helping develop the plan.

The Executive Director described in detail the proposed staff reorganization. Director Jamero distributed copies of the 1989 HRC Interim Organizational Chart which specifies lead/policy responsibilities and staff responsibilities of the unit. Copies of this chart had been presented to an earlier meeting of the Administrative Committee. The Executive Director distributed copies of a packet of materials presented to HRC staff to explain staff deployment. This packet contained a cover memo; HRC organization, introduction and major responsibilities of the MBE/WBE, Employment and Monitoring, Dispute Resolution, and Lesbian/Gay Units; criteria and goals for staff development: and staff assignments. Director Jamero related that the staff deployment plan has the buyoff of management staff.

In response to Commissioner Lockhart's inquiry if disability was restricted to the Lesbian/Gay Community, Director Jamero responded "no" Commissioner Pivnick noted no reference to the Youth and Education Committee. The Executive Director explained that the Chair and the Commissioners favored having four standing committees, one per unit; however, this decision will not be made until the October retreat. In the meantime, there will be support to the Youth and Education Committee until the reorganization. Commissioner Gillette expressed pleasure in the increased importance accorded the standing committees. Commissioner Bermudez questioned the solid line from the Mayor to the Executive Director in the organizational chart.

The Executive Director explained that the deployment of staff reflects program priorities. As a special project, the Deputy Director supervises the staff outstationed at the Airport and the Port. Director Jamero expressed the need to function more effectively and to develop more accountability, ensuring that there is a clear understanding with the work order departments. Two new staff, an M.I.S. Specialist and a Data Entry Operator, are assumed in the staffing plan.

In response to her question, Commissioner Lockhart, referring to Staff Deployment Criteria/Goals, was advised that hate violence was one of the priorities of the Dispute Resolution Unit. Commissioner Jaber observed that she had thought that Frank Anderson would remain with the MBE/WBE Unit for one year. The Executive Director responded that Frank Anderson will continue to staff the MBE/WBE Advisory Committee for awhile; however, Vicky Zimpel will take the lead role. Commissioner Martin recommended that Commissioners review these documents which can be considered a draft. Director Jamero stated that the Administrative Committee can discuss staff deployment at its next meeting.

Commissioner Gillette expressed the strong desire that there be ample meeting space for up to 25 people at 25 Van Ness Avenue.

Copies of the job description for Deputy Director were distributed.

STANDING COMMITTEES

EMPLOYMENT

- Adoption of Employment Committee's Mission Statement

Employment Committee Chair Commissioner Frankie Gillette, on behalf of the three Commissioners on the Employment Committee, expressed pleasure in being able to present the Mission Statement. Commissioner Gillette read into the record following its introduction, the Mission Statement:

> "The Employment Committee was created as a standing Committee of the SFHR to implement the Declaration of Policy as it relates to:
> '... equal economic... opportunity... equal accommodation in all business establishments... and to equal service and protection by public agencies.' This is our mission.

To fulfill our mission, the Employment Committee will:

a) develop an informed, knowledgeable and committed committee representative of business, government, unions and community organizations in San Francisco;

b) assure committee knowledge and understanding through periodically inviting speakers on employment issues and their implications; conduct studies, public hearings, workshops and other education activities with other organizations as appropriate;

c) analyze proposed local, state and federal legislation for its effect on minorities, women and other protected groups, making appropriate recommendations to the HRC and working for the passage of suitable legislation;

d) report regularly to the HRC regarding the status of employment matters in San Francisco, California, and the United States as they impact on San Franciscans. As an advisory committee, it will also recommend certain actions to the HRC for its consideration, as well as study issues referred to it by the HRC.

Specific goals for the 1989-90 program year are, but are not limited to:

a) become more knowledgeable of the agencies and organizations in the employment arena by:

  1) regularly scheduling presentations by Employment Committee members regarding their affiliations,

  2) encouraging Employment Committee members to serve as a liaison to other employment organizations (e.g. Chamber of Commerce, Economic Development Commission, merchants associations, etc.)

  3) encouraging these other organizations to participate in Employment Committee activities and meetings;

b) work with the HRC administration in reviewing the administrative/operation of the HRC and recommend actions to strengthen it;

c) ascertain and assist in the development of employment opportunities in the San Francisco area for youth, specifically the summer jobs program, and assist youth in becoming aware of and taking advantage of such opportunities. This goal of the committee shall be initiated each September for the following summer;

d) develop a report outlining all organizations participating in or responsible for economic development in the City and County of San Francisco (expanding, new or relocating businesses); and

e) monitor a specific number of city contracts, ex: waste water treatment, Moscone Center Expansion.

In addition, a goal for the year 1997 is to initiate, in 1997, efforts to prepare for the Census of the year 2000 by developing appropriate actions (including a problem analysis of the 1990 Census, participating in public hearings, and monitoring/assisting in the hiring of Census takers) to ensure an equitable Census taking for the City and County of San Francisco.

The goals of this committee cannot be met unless its members participate actively in meeting these goals. As a result, committee membership requires each member to take responsibility for a specific activity and reporting against that activity periodically."

It was then
*** m/s/c, on the motion of Commissioner Gillette and the second of Commissioner Pivnick, that the Human Rights Commission adopt the Employment Committee's Mission Statement.

Commissioner Gillette thanked intern Eric Mar for writing the report of the public hearing on "San Francisco is Cool".

- Request for Establishment of an African American Task Force

Commissioner Gillette referenced the letters from Julianne Malveaux, President, San Francisco Black Leadership Forum, and from Lulann S. McGriff, NAACP, San Francisco Branch President (included in the Correspondence Folder), which had been referred by Commission Chair Martin to the Employment Committee. The Employment Committee, at its September 7, 1989 meeting, recommended the establishment of an ad hoc committee, an African American Task Force.

It was then
*** m/s/c, on the motion of Commissioner Gillette and the second of Commissioner Bermudez, that the Human Rights Commission establish an African American Task Force.

Commissioner Martin reminded the Employment Committee Commissioners to meet with the Executive Director to develop a plan and a time table. Commissioner Gillette reported that the first meeting of the African American Task Force is scheduled for Wednesday, September 20, 1989. Commissioner Gillette observed that we will be fortunate to have the services of two interns: Ron Martinez and Frederique Clermont for the African American Task Force.

It was then
*** m/s/c that the Human Rights Commission accept the report from the Employment Committee.

MBE/WBE COMMUNITY ADVISORY

- Acceptance of MBE/WBE/LBE Close Out Report for FY88-89

MBE/WBE Community Advisory Committee Chair Commissioner May Jaber introduced Contract Compliance Officer I Pansy Ponzio Waller, who in turn quoted extensively from "A Close-out Report for Ordinance 139-84.

The purpose of this report is to comply with Section 12D.14(B) of the Minority/Women/Local Business (MBE/WBE/LBE) Utilization Ordinance Chapter 12D of the San Francisco Administrative Code which requires that the Human Rights Commission submit an annual report to the Mayor, the Chief Administrative Officer and the Board of Supervisors on the progress of the City and County toward the utilization goals established by Section 12D.7.

The Ordinance which went into effect on August 10, 1984 was to go out of existence unless extended on May 10, 1989. Therefore, on June 20, 1988 and July 14, 1988, the Human Rights Commission held public hearings on whether (1) the present effect of prior racial/gender discrimination against MBE/WBEs had been remedied; and 2) economic disadvantages faced by LBEs had been offset. The purpose of the public hearings was to receive testimony from prime contractors who do, or wish to do, business with the City, and from subcontractors who wish to develop their status as prime contractors. The Commission listened to testimony from 42 persons representing businesses and groups within the community and six department representatives; 127 written testimonies were received, and 24 who testified orally also submitted written testimony which reiterated their oral remarks.

Based upon data, public hearings, meetings and other relevant information presented to the Human Rights Commission, in accordance with the sunset clause requirements of the Ordinance, the Commission at its meeting of October 13, 1988, voted unanimously to certify to the Board of Supervisors that the goals had not been achieved and that the legislation be extended as prescribed in Section 12D.15 of the Ordinance.

In determining whether the MBE/WBE goals were met by the awarding departments, the total dollar value of all prime contracts was not used as the base figure. The lower base figure called "eligible contract dollars" was used instead. These contract dollars excluded contracts with non-profit agencies, federal or state contracts and waivers granted by the HRC Director.

The awarding City departments reported only the eligible contract dollars. Using the lower base figure to calculate the MBE/WBE goals, provided incomplete data since it did not reflect the total dollar value of all prime contracts. Thus, the data collected by the HRC were determined to be incomplete by the City Attorney's Office.

Based on advice from the City Attorney's Office, the HRC requested the Controller's Office to prepare an Ad Hoc Report on the City awarding departments' most recent total contracting data of all contracts including those previously excluded. The Ad Hoc Report was prepared by the Controller's Office and the HRC distributed the report to the departments during the end of the first quarter of FY88-89.

This report was to be used as a "turnaround report" and the departments verified the data and returned the report to HRC in a timely manner. Most of the departments completed the Ad Hoc Report and returned it to HRC during the second quarter of FY88-89.

However, the data provided by the Ad Hoc Report were for one and a half months of contracting and were not the type of information needed by the City Attorney's Office. The Ad Hoc report was of a short duration; it included carry overs and was prepared in such a way that it was difficult to determine the contracting awarded by the various commodities, i.e. construction, goods and supplies and personal service. Furthermore, the information which was gathered was for the current fiscal year but what the City Attorney's Office needed was the total contracting of all awards for the most complete year, which in this case was FY87-88.

Towards the beginning of the third quarter the Budget Analyst's Office was requested by the Board of Supervisors to review the findings, recommendations and support documentation of a report entitled, "Investigation Into Minority and Women Business Participation in City Contracting", which was prepared by the HRC. In order to review the report and to recommend whether or not the MBE/WBE/LBE Ordinance had been effective in remedying the lack of full participation by such firms in contracting with the City, the Budget Analyst's Office requested that eight major departments participate in the data collection effort. These departments were as follows: Airport, CAO, Port, Public Works, Public Health, Public Utilities Commission, Purchasing, and Recreation and Park.

The data collection effort of the Budget Analyst's Office included selecting the City departments that accounted for most of the City's contracting dollars. It was determined that the above mentioned departments accounted for at least 80 percent of all City contract dollars in fiscal year 1987-88. The Budget Analyst's Office prepared two reports, one dated March 8th and the other March 17, 1989.

Since the major contract awarding departments were contributing to the Budget Analyst's data collection effort, HRC determined that it would not burden the departments further by requesting that data be provided to HRC. Therefore, HRC did not request contract participation reports from the departments during FY88-89.

During the third quarter of FY88-89, the HRC contracted with BPA Economics, Inc. The purpose of this contract was to provide statistical analyses concerning discrimination based on race or gender in the awarding of contracts by the City as evidence to be considered by the Board of Supervisors with regard to the "new" MBE/WBE/LBE Ordinance. (BPA, Economics, Inc. prepared and presented its report on May 15, 1989 to the Board of Supervisors).

Once again, the awarding departments worked cooperatively with the HRC consultant from BPA Economics, Inc., and provided the relevant information

regarding all contracting. Shortly thereafter the Board of Supervisors conducted public hearings regarding the enactment of the new MBE/WBE/LBE legislation.

On May 15, 1989, the Governmental Operations Committee of the Board of Supervisors concluded the public hearings and recommended that the new MBE/WBE/LBE Ordinance go before the full board. Thus, the MBE/WBE/LBE Ordinance II was approved by the full Board of Supervisors that same day.

On May 30, 1989, Mayor Art Agnos signed the legislation and on June 29, 1989, the Human Rights Commission adopted the Rules and Regulations. Therefore, the MBE/WBE/LBE Ordinance II went into effect on July 1, 1989. The new MBE/WBE/LBE Ordinance II is drafted in accordance with the United States Supreme Court's recent ruling of City of Richmond v. Croson.

Pansy Waller related that Deputy City Attorney Mara Rosales, the drafter of the legislation, has summarized the key differences between the new and existing ordinances. "Subcontracting requirements are deleted. If a subcontracting program is adopted by the Board in the future, it will be in another chapter of the Administrative Code," Chapter 12G.

With the passage of the new Ordinance, the Controller's Office is charged with the collection of the necessary data to form the basis of the Commission's report to the Mayor, the Board of Supervisors and the Chief Administrative Officer. Future HRC reports will analyze the most recently available data on percent availability of MBEs and WBEs in the various industries and professions identified in the utilization indices set forth in Appendix X to the Ordinance. Not later than March 1st of each fiscal year, the Director shall transmit to the Board of Supervisors proposed amendments to the Ordinance and the utilization indices necessitated by data that have been collected and analyzed.

Ms. Waller stated that the Waivers data on page 5 of her report will be included as part of the report by Clemente Newball-Obregon.

During FY1988-89, the HRC MBE/WBE Directory listed 1,510 MBE/WBE firms. Of this amount 357 were non-minority women firms. There were a total of 957 or 63% local firms certified during this period.

HRC staff identified several problems in the collection of the departmental data. These problems are as follows:

The "eligible contract dollar" concept lost its meaning during FY88-89. What had once been the operating principle for calculation of the goals for MBE/WBE participation in City contracting was no longer relevant in determining the total dollar value of all contracting.

The awarding departments were asked to report their contracting on all contracts instead of on the eligible dollar base. This was burdensome for those departments which had not kept statistics on the broader base.

The departments were asked to report the contracting within specific categories. This was troublesome for those departments which did not have the contracting information broken down by the various commodities. The departments were expected to "turnaround" the information very quickly in order to assist the City Attorney's Office, the Budget Analyst's Office and the HRC Consultant from BPA, Economics, Inc. This resulted in tremendous time constraints for some of the departmental liaisons who had to prepare the reports.

Some of the departments, especially for those awarding construction contracts, failed to report the Joint Venture participation accurately. In some instances the total joint venture participation was credited towards the MBE/WBE share.

RECOMMENDATIONS

- Strengthen outreach, technical assistance, educational/training programs to MBEs and WBEs.

- Provide on-going workshops with City departments to ensure consistent application of standards and criteria set forth in the ordinance.

- Simplify the certification process.

- Designate the Controller's Office with the charge of collecting the necessary data to form the basis of the Commission's report to the Mayor, the Board of Supervisors and the Chief Administrative Officer.

- Use good faith efforts to solicit and obtain quotes, bids or proposals from MBEs and WBEs on all solicitations, or document their unavailability.

- Adjust bid bonding and insurance requirements as recommended by the City Risk Manager in his May 2, 1989, "Contract Insurance Manual."

- Encourage joint ventures.

- Encourage departments to maintain accurate records for each contract awarded, its dollar value, the nature of the goods or services to be provided, the name of the contractor awarded the contract, the efforts made by a construction, architect/engineer contractor to solicit bids from and award subcontracts to MBEs and WBEs.

Commissioner Kai inquired about data for 1988-89. Pansy Waller responded that HRC has no data for contracts awarded during fiscal year 88-89. Commissioner Kai questioned if HRC was planning on obtaining data, asking "aren't we required to do this?" Ms. Waller responded that it was the Acting Director's/her supervisor's decision not to backtrack this data, in view of the same major data collecting activities required in crafting the new ordinance. Both the Controller and the Budget Analyst reports' reflect contracting data during this time period, as stated in this report. The Executive Director stated that new systems are being instituted to ensure that this noncollection of data does not happen again. Contract Compliance Officer II Frank Anderson stated that this close out report satisfies the reporting requirements of the MBE/WBE/LBE Ordinance I. Commissioner Pivnick wondered, if we have a void, wouldn't it be appropriate to collect the data for FY88-89. Director Jamero stated that the new ordinance fixes reporting requirements. Staff is on schedule now. Commissioner Gillette inquired as to the process for implementing the recommendations contained in the report.

It was then
*** m/s/c, on the motion of Commissioner Jaber and the second of Commissioner Chinn, that the Human Rights Commission accept the MBE/WBE/LBE Close Out Report. The Committee would like to reserve the right to make any additional recommendations on this matter (report) in the future, as it develops experience and expertise on City contracting activities.

- Report on Waiver Requests

Contract Compliance Office I Clemente Newball-Obregon read his report on waiver requests into the record.

"The purpose of this report is to bring the Commission up to date on waivers granted since July 1, 1989, pursuant to the Minority/Woman/Local Business Utilization Ordinance II.

DEFINITION:

"Waiver" shall refer to an action by the Director excusing a department's duty to: (1) use good faith efforts to solicit and obtain quotes, bids or proposals from MBEs and WBEs; and (2) to apply MBE or WBE bid preferences to a particular contract in accordance with Section 12D.13. of the Ordinance. Waiver is limited to the term of the contract for which the waiver is sought.

By way of background information, the granting of waivers came into being with the passage of Ordinance 139-84, better known as the MBE/WBE/LBE Ordinance. In the new M/W/LBE Ordinance II that went into effect July 1, 1989, the same waiver provision is included under Sec. 12D.13.

Exceptions and Waivers

(A) The Director shall waive the race and gender-conscious bid preferences and good faith efforts requirements of this Ordinance under the following circumstances:

1. Whenever the Director finds, with the advice of the contract awarding authority, that needed goods or services are available only from a sole source which is not an MBE or WBE, and the prospective contractor is not currently disqualified from doing business with the City, or from doing business with any governmental agency based on a failure to comply with Minority or Women Business Enterprise or contract compliance requirements;

2. If the contract awarding authority certifies in writing to the Director that: (1) pursuant to Administrative Code Section 6.30 the contract is necessary to respond to an emergency which endangers the public health or safety and (2) there is no time to apply the bid preference(s) and no MBEs or WBEs capable of performing the emergency work are immediately available; provided that such certification shall be made prior to the Controller's contract certification.

(B) The Director shall waive the five percent (5%) LBE bid preference for contracts in excess of five million dollars ($5,000,000) whenever a contract awarding authority establishes that: (1) sufficient qualified Local Business Enterprises capable of providing the needed goods and services required by the contract are unavailable and (2) sufficient qualified businesses located outside of San Francisco capable of providing the needed goods and service required by the contract are available; or (3) the application of the five percent (5%) LBE preference will result in significant additional costs to the City if the waiver of the bid prefence is not granted.

WAIVERS

During FY88-89, there were 95 waivers granted by the HRC Director. Of the 95 waivers, 77 were granted on the basis of sole source and 18 were granted on the basis of emergency. The following waivers were granted in the various industries:

Industry	Number of Waivers	Dollar Amount Waived
Construction	17	$ 8,396,236
Goods/Supplies	23	$ 13,152,900
Personal Services	55	$ 2,461,420
	95	$ 24,010,556

Waivers were granted on a contract-by-contract basis.

Trends: At this early date it is difficult to determine a trend because of the short period of time since the new ordinance went into effect July 1, 1989.

To date the requests for waivers by Department are as follows:

Commodity/Industry	Number of Waivers	Dollar Amount
Construction	5	$9,826,220.00
Goods & Services	0	0
Personal Services	7	399,600.00
TOTAL: 3	12	$10,225,820.00

The departments that have requested the waivers since July 1, 1989 are:

Port of San Francisco	2 waivers
Airport	1 waiver
Dept. of Public Health	1 waiver
City Attorney	1 waiver
Chief Administrative Offr.	2 waivers
Public Works	1 waiver
Clean Water Project	3 waivers
Dept. of Social Services	1 waiver

A total of twelve waivers have been granted during this period. Ten (10) waivers have been granted under sole source, one waiver was granted under the Emergency, and one waiver was approved for a contract over the new five million ($5,000,000) dollar provision to the department.

After the first quarter is completed on September 30 a comparison can be made against the first quarter of fiscal year 1988/89 to see if there are any major changes."

Commissioner Gillette inquired as to how many waivers were not granted. Mr. Newball-Obregon responded: "none". Commissioner Lockhart expressed interest in learning more about the granting of waivers and how the accuracy of the information supplied is determined.

- Committee Report

MBE/WBE Community Advisory Committee Chair Commissioner Jaber presented the Committee Report.

The Minority/Women/Local Business Enterprise Advisory Committee held its first meeting since the enactment of the new Ordinance on August 31, 1989. This meeting was well attended with committee members, guests and staff. The purpose of this meeting was to orientate committee members to the M/W/LBE legislation, its program and the Human Rights Commission. The meeting provided a forum for exchange of information, ideas and some preliminary planning for the committee. Relevant information such as the Ordinance, Rules and Regulations and other background information was provided to each Committee member. The Committee displayed a high degree of interest and willingness to work with and advise the HRC on implementing strong, meaningful M/W/LBE program. Although the committee's membership is still in a developmental stage, the following persons have agreed to serve on the Committee:

1. Robert Barragañ, Mission Economic Development Association
2. Linda Dickens, Attorney-at-Law
3. Shirley Dimapilis, Educator
4. Faheem Hameed, Urban Economic Developmental Corp.
5. Maria Hon, Asian Inc.
6. Ron Johnny, American Indian Center
7. Eva Paterson, Lawyers Committee for Urban Affairs
8. Raj Desai, Asian Indian Association of America
9. Christina Salguero, P.G.& E.
10. Kevin Wadsworth, First Nationwide Bank
11. Lenore Chinn, HRC Commissioner
12. May Jaber, HRC Commissioner

The next Committee meeting is scheduled for Thursday, September 28, 1989, 4:00 P.M.-5:30 P.M. Main Public Library, 3rd Floor Commission Room.

A workshop on basic contracting procedures will be held for committee members on Tuesday, September 19, 1989 at 12 Noon at the HRC office in Room 509.

HRC staff support for the Committee activities is provided by Frank Anderson and Pansy Waller.

It was then
*** m/s/c that the Human Rights Commission accept the Committee Report.

Commission Chair Martin left the meeting at 10:34 A.M., turning over the gavel to Commission Vice Chair Karen N. Kai.

- Review of the MBE/WBE/LBE Ordinance II

This item was deferred until the meeting of September 28, 1989.

ADMINISTRATIVE

- Commission approval for grant applications to UCD

David Treanor, Management Assistant and the person who prepared the budgets for the Fair Housing Project and the Contract Compliance Monitoring Project funded by the Mayor's Office of Economic Development, entertained questions in the absence of Don Hesse, Coordinator of the Dispute Resolution Unit.

There being no questions, it was then
*** m/s/c that the Human Rights Commission approve the submittal of grant applications to the Mayor's Office of Community Development.

- Planning for Commissioners and Management Staff Strategic Planning Retreat

The Executive Director explained that the City Attorney's Office had determined that holding a retreat outside of San Francisco would not be in violation of the provisions of the Brown Act. The request for funding of the Strategic Planning Retreat was presented at the September 6, 1989 meeting of the Board of Directors of the Friends of the Human Rights Commission. After lengthy discussion of the proposed retreat, there was clear support for funding a Strategic Planning Retreat, with the proviso that the retreat be held in San Francisco. Commissioner Pivnick described a newspaper editorial critical of a group holding a retreat instead of spending the money on providing a service.

The Executive Director described the process that staff had undertaken to locate a suitable retreat site in San Francisco. The San Francisco Convention and Visitors Bureau's Facilities and Services Guide was used to identify the 90 of the 182 San Francisco accommodations which had meeting space. All such lodgings were contacted by staff. The most promising sites were personally inspected. The two "finalists" were visited by the Executive Director accompanied by Gail P. Roberts. These two were the San Francisco Midtown Vagabond Inn and the Ramada Hotel at Fisherman's Wharf. Director Jamero described both sites, noting that the Ramada Hotel would be approximately $730 more expensive for two nights.

Commissioner Gillette had recommended the Ralston L. White Retreat Center in Mill Valley. Director Jamero and FHRC President Jane Morrison reiterated that the FHRC Board felt very strongly that the retreat be held in San Francisco.

Commissioner Kai requested clarification of one or two nights for the retreat as it was her memory that the preliminary planning called for one night. Commissioner Pivnick related that he would not be available on October 20 and 21 to attend the retreat.

It was then
*** m/s/c, on the motion of Commissioner Pivnick and the second of Commissioner Lockhart, that the Human Rights Commission hold its Strategic Planning Retreat for Commissioners and Management Staff on Friday evening, October 20, 1989 and all day Saturday, October 21, 1989 with the location to be determined by Commissioners Kai and Martin with Director Jamero.

- Restructuring of Administrative Committee

Administrative Committee Chair Commissioner Kai observed that the Administrative Committee meetings appeared to have been "dress rehearsals" for the Commission meeting and not focused in problem solving. The Administrative Committee will now concentrate on planning and problem solving.

- Committee Report

Commissioner Kai related that the other items on the August 24, 1989 Administrative Committee agenda will be reported under the appropriate committee.

It was then
*** m/s/c that the Human Rights Commission accept the report of the Administrative Committee.

SOCIAL ISSUES/POLICE LIAISON

- Progress Report on "Unfinished Business" Public Hearing and Recommendations

Social Issues/Police Liaison Committee Chair Commissioner Peter Sammon observed that the transcript of the public hearing was approximately 250 pages. A summary of the testimony is being prepared. At the October 4, 1989 meeting of the Committee, the issues and recommendations will be prioritized.

Commissioner Sammon related that the Human Services Committee of the Board of Supervisors held a hearing recently and one is scheduled for today (September 14, 1989) on the issue of police conduct in a raid. The City of San Francisco is facing the possibility of civil suits being filed regarding Police cooperation with the Immigration and Naturalization Service.

- Planning for Hate Violence Public Forum

Social Issues/Police Liaison Vice Chair Commissioner Lucile Lockhart reported that public forums on hate violence are scheduled for Tuesday, November 14, 1989, and Wednesday, November 15, 1989. Commissioner Lockhart requested that Commissioners involve themselves in the planning process. Planning is focused in developing a skeleton of a comprehensive, coordinated community approach to hate violence with services such as a "hot line" and data collection indicated. A questionnaire is being developed to determine what problems have been encountered and what is being done to combat hate violence. The next planning session is scheduled for 10:30 A.M. Wednesday, September 20, 1989, in the State Building.

It was then
*** m/s/c that the Human Rights Commission accept the report from the Committee.

YOUTH AND EDUCATION

- Committee Report

Youth and Education Committee Chair Commissioner Isadore Pivnick related that the draft report on Youth and Crack Cocaine has been distributed to members of the Committee and will be discussed in depth at its September 21, 1989 meeting. Subsequently, this report will be forwarded to the full Commission for action.

It was then
*** m/s/c that the Human Rights Commission accept the Youth and Education Committee Report.

LESBIAN/GAY ADVISORY

- Committee Report

Lesbian/Gay Advisory Committee Vice Chair Commissioner Lenore Chinn, in the absence of Committee Chair Leonard Graff, presented the Committee Report. The Lesbian/Gay Advisory Committee met August 15, 1989 at which time an update was presented on the Ratzinger Project to investigate the effects of the Ratzinger letter on the Lesbian/Gay Community. Jeremy Landau alerted the Committee to the existence of the "Christian AIDS Council", an evangelical, homophobic AIDS ministry. Police raids on private clubs using the space for "safe-sex" programs and activities was discussed at length and the Committee expressed outrage at the police actions. The Southern Station Captain and the Police Liaison to the Lesbian/Gay Community have been invited to the September 19, 1989 meeting of the Lesbian/Gay Advisory Committee.

It was then
*** m/s/c that the Human Rights Commission accept the Lesbian/Gay Advisory Committee Report. Commissioner Karen Kai inquired if members of the Social Issues/Police Liaison Committee had been invited to the September 19, 1989 meeting.

HOUSING AND URBAN DEVELOPMENT

Committee Chair Commissioner Karen N. Kai reported that was no quorum available for the August meeting. The Committee will meet next on Tuesday, September 26, 1989, at 3:30 P.M.

NEW MATTERS

Commissioner Lockhart provided information on a march to protest killing by the state.

CALENDAR MATTERS

Commissioner Kai reported that, on the basis of Gail P. Roberts' survey of Commissioners, the afternoon of the first Thursday of the month appears to be the best time for committee chairs to attend a meeting of the Administrative Committee.

Gail P. Roberts, Interim Commission Secretary, announced that the Commission will next meet September 28, 1989 and October 12, 1989 in the Auditorium of the Department of Public Health, 101 Grove Street.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, October 5, 1989 3:00 PM HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, October 5, 1989 9:00 AM Room 1200, State Building 350 McAllister Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, September 26, 1989 3:30 PM Room 1159, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, September 19, 1989 5:30 PM Room 1159, State Building 350 McAllister Street
MINORITY/WOMEN/ LOCAL BUSINESS ENTERPRISE ADVISORY	Thursday, September 28, 1989 4:00 PM Third Floor, Commission Room Main Public Library
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, October 4, 1989 9:00 AM Room 1159, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, September 21, 1989 3:00 PM Room 1159, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The regular meeting of the Human Rights Commission was adjourned by the Commission Vice Chair Karen N. Kai at 11:24 A.M.

Respectfully submitted,

Peter M. Jamero
Executive Director
via Gail P. Roberts
Interim Commission Secretary

PMJ:GPR:bclp:np

HRC/Min[CORR3]
9/20/89

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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REGULAR COMMISSION MEETING

Thursday, September 28, 1989
Auditorium
Department of Public Health
Time: 9:00 AM

AGENDA

1. Roll Call
2. Pledge of Allegiance

SPECIAL ITEMS:

Harris v. St. Francis Memorial Hospital: Request for Dismissal

3. Approval of the Minutes of the Meeting of Thursday, September 14, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committee:

YOUTH AND EDUCATION COMMITTEE: Commissioner Isadore Pivnick, Chairperson

A. Adoption of Youth and Education Committee's Mission Statement
B. Committee Report

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

A. Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen N. Kai, Chairperson

A. Committee Reports
B. Response to Mayor's Homeless Plan

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A. Hate Violence Public Forums Progress Report
B. "Unfinished Business" Public Hearing Summary of Issues and Recommendations

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

A. African American Task Force Meeting

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Committee Report

ADMINISTRATIVE: Commissioner Karen N. Kai, Chairperson

No Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

GPR:bclp
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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, September 28, 1989

NEXT MEETING

DATE: Thursday, October 12, 1989
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commission Vice Chair Karen N. Kai at 9:05 A.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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ROLL CALL

Commissioners

Present:	Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, (presiding), Lucile Lockhart, Isadore Pivnick, and Peter Sammon
Excused:	Lawrence B. Martin
HRC Staff	Peter M. Jamero (Executive Director); Frank Anderson, Frederique Clermont (intern), Paul De Rosa (intern), James Fields, Don Hesse Ron Martinez (intern), Nathaniel Mason, Veronica Ng, Norm Nickins, Richard Norton and Pansy Ponzio Waller.
Guests:	John Roy Stoll

SPECIAL ITEMS

Harris v. St. Francis Memorial Hospital: Request for Dismissal

Commissioner Kai requested that the Special Item on the agenda be heard. HRC Coordinator Don Hesse reported on the dismissal of Harris v. St. Francis Memorial Hospital as recommended by the Hearing Officer.

According to the memorandum dated September 25, 1989 prepared for the Human Rights Commission by Mr. Hesse, "the hearing officer recommends that the case be dismissed not because of prejudicial delay but because there is no public interest to be served by pursing the matter. However, she does recommend that the Commission staff monitor Respondent's compliance with its own personnel policies, including affirmative action."

Commissioner Sammon asked if HRC had heard from the other party recently and Mr. Hesse answered that he had but that they intended to pursue their complaint through the legal forum instead of through the Commission.

Commissioner Pivnick requested that Executive Director Jamero come back with a more detailed plan on the review of personnel policies at St. Francis Memorial Hospital including a time frame.

(415) 558-4901 Suite 501, 1095 Market Street San Francisco, CA 94103

It was
*** m/s/c that the recommendation of the hearing officer to dismiss the complaint and for the HRC Director to direct staff to review of the personnel policies of the St. Francis Memorial Hospital to ensure that the hospital has an affirmative action recruitment program that is understood and followed by management.

MINUTES

It was
*** m/s/c, that the minutes be approved with one correction as amended. The correction was on page 6. The motion should read instead - the establishment of select committee of African American Parity.

COMMUNICATION

September 14, 1989 letter from Aileen Hernandez of the African American Agenda Council, endorsing the request by the San Francisco Branch of the National Association for the Advancement of Colored People and the San Francisco Black Leadersship Forum, urging the creation of a Task Force on the Status of African Americans in San Francisco.

September 28, 1989 letter from Mr. William J. Barry, Chairperson of the California Attorney General's Commission on Racial, Ethnic, Religious, and Minority Violence, regarding testimony at an October 6, 1989 hearing.

REPORT OF THE CHAIRPERSON

There was no report.

DIRECTOR'S REPORT

Executive Director Peter M. Jamero reported that the budget request of $280,000 for the soft and hardware computer program for the Human Rights Commission to support the new MWBE Ordinance had been approved by the Finance Committee of the Board of Supervisors. Steps are now being taken to fill the positions of the management information staff which are also included in the new authorization.

Regarding the space at 25 Van Ness, the Director reported that everything is moving according to schedule. The move is planned for December.

Regarding the Commission on the Status of Women, a director has been selected and will be sworn in at the Board of Supervisors Chambers later this date.

The Director reported that he had appeared on a Channel 5 talk show -"People are Talking" where the subject was Hate Violence.

Regarding the retreat, the Director reported that it is set for October 20th and 21st and would take place at the Vagabond Inn in San Francisco. He reported that the facilitator was in the process of being selected and that he was presently involved in the interviewing process.

Director Jamero shared with the Commissioners the sad news that Bert Campbell's brother passed away in Illinois and a condolence card on behalf on Commissioners and staff had been sent.

On October 16th at 6 PM a dinner is to be held honoring Ms. Rita Semel for her 37 years of community service. The recognition dinner will be held at the Fairmont Hotel.

STANDING COMMITTEES

YOUTH AND EDUCATION COMMITTEE

Commissioner Pivnick reported on the Youth and Education Committee's Mission Statement and moved for its adoption.

It was
*** m/s/c to accept the Youth and Education Committee's Mission statement (See attached for the Statement)

He reported that as part of the priorities of the Youth and Education Committee, a position paper on crack and cocaine is being developed and would be presented at its next meeting.

He reported that Margaret Bodkin would be the guest speaker at the next Committee's meeting. She would speak on Coleman Youth Advocates recommendations on the budget on youth.

It was
*** m/s/c that the Human Rights Commission accept the report from the Youth and Education Committee.

MBE/WBE/LBE COMMUNITY ADVISORY COMMITTEE

Commissioner Jaber reported that on September 19th an informational workshop had been hosted by the Committee on the contracting policies and procedures from the Airports Commission and the Purchasing Department. Explaining the procedures on behalf of the Airports Commission were Mr. Ernie Eavis and Ms. Sandra Crumpler and for the Purchasing department - Mr. Ben Kawamura. The MBE/WBE/LBE Community Advisory meeting is scheduled from 4-6 p.m., September 28, 1989 at the Public Library in the Commission Room.

It was
*** m/s/c that the Human Rights Commission accept the MBE/WBE/LBE Community Advisory Committee's report.

HOUSING AND URBAN DEVELOPMENT COMMITTEE

HRC, Coordinator Don Hesse reported on the response to the Mayor's Homeless Plan. The Committee is working on recommendations for the plan. He mentioned that HRC hosted a booth at the Affordable Housing Fair at the end of August. He distributed a guide entitled Affordable Housing Resources, published by the Community Housing Network, a project of Catholic Charities of San Francisco. More copies of the guide are available at the Human Rights Commission by contacting Mr. Don Hesse.

It was
*** m/s/c that the Human Rights Commission accept the Housing and Urban Development Committee's report.

SOCIAL ISSUES AND POLICE LIASON COMMITTEE

Commissioner Sammon referred to Commission Lockhart, who in turn reported on the "Hate Violence Public Forums Progress Report". Commissioner Lockhart reported that the title of the Forum would be, "Hate No More, subtitled Reducing, Prejudice Based Violence".

Commissioner Lockhart requested that Mr. Don Hesse present the Sub-Committee's report. Mr. Hesse spoke on the outreach and organizing and publicity efforts on the part of the Commissioners. He emphasized the need of the Commissioners maximizing their outreach efforts by using the contacts they know in the media and the various communities, particularly the minority, religious, gay/lesbian communities in order to solicit their testimony. He announced that on November 14th and 15th the "Hate Violence Hearings" would be held. The next meeting of the Social Issues and Police Liaison will be held at the State Building on October 4th.

Commissioner Pivnick inquired from Executive Director Jamero if a VCR could be bought for taping shows when the Commission or staff are interviewed on television - to tape presentations in the future. Director Jamero responded that he thought this to be an excellent recommendation and would be seeking resources to have this item added to the budget.

Commissioner Sammon reported that a summary of priorities is being done to solve problems that are evident between the Police Department and the Community through public demonstration.

Commissioner Sammon reported that the Board of Supervisors have passed a City of Refuge resolution, strengthening the resolution of 1985 and being more specific. Since this resolution impinges on City funds, the City Attorney determined that this resolution had to be presented as an Ordinance, which would make it more binding.

Commissioner Sammon discussed the new City of Refuge Ordinance in detail, explaining that it would be a violation of City law for City workers to inquire about someone's immigration status as was done in the recent Club Elegante incident. Commissioner Sammon reported that this item would go before the Human Services Committee later today and to the full board in two weeks.

It was
*** m/s/c to accept the Social Issues and Police Liaison Committee report.

EMPLOYMENT COMMITTEE

Commissioner Gillette announced that the next meeting of the Employment Committee would be at 9 AM on October 5th, exact address to be announced later.

Commissioner reported that the Committee on African American Task Force met on September 20th. Commissioner Gillette felt that the Committee was very representative of San Francisco. The Committee discussed and came up with a plan on reviewing compiled material on African Americans that exists for the past 25 years. The plan was discussed at length by Commissioner Gillette. The intent of the report would be to project where in the year 2000 African Americans would be and to assure that parity occurs.

The Committee members intend to serve in various subcommittees reporting back to the general Committee back on October 25th with recommendations.

Commissioners Gillette concluded her report by stating that at the October 5th Employment Committee meeting, Maria Good would talk about the Renaissance program.

It was
*** m/s/c that the Human Rights Commission accept the Employment Committee's report.

LESBIAN/GAY ADVISORY COMMITTEE

Commissioner Graff reported that the Lesbian/Gay Advisory Committee met at its regularly scheduled meeting on September 19th and that HRC Coordinator of the Lesbian/Gay Unit, Mr. Norm Nickens would give the report for the Committee.

Mr. Nickens reported on two issues. The first involved problems between the Police and one gay business, South of Market. The Committee met with Captain Petrini, S.F.P.D. He plans to return to the next Committee meeting and report policy clarification and changes on how to resolve these issues. The second issue before the Committee was an update on the status on HIV infection and mandatory testing of immigrants.

It was
*** m/s/c that the Human Rights Commission accept the Lesbian/Gay Advisory Committee report.

ADMINISTRATIVE COMMITTEE

There was no report from the Administrative Committee. The next meeting will be October 5th at 3 PM at the Human Rights Commission Office at 1095 Market Street, Suite 509.

NEW MATTERS

A discussion ensued on the meetings currently being scheduled with the members of the Board of Supervisors. Executive Director Jamero explained that meetings are being held to receive input from the Supervisors so that the Commissioners can prepare what priorities the Human Rights Commission may focus on for the October 20th and 21st retreat.

CALENDAR MATTERS

The next meeting of the Human Rights Commission is scheduled for Thursday, October 12, 1989 at 9 AM in the Auditorium at the Department of Public Health at 101 Grove Street.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, October 5, 1989 3:00 PM HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, October 5, 1989 9:00 AM 170 Fell Street, Room 30 Board of Education
HOUSING AND URBAN DEVELOPMENT	Tuesday, October 24, 1989 3:30 PM Room 1159, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, October 17, 1989 5:30 PM Room 1200, State Building 350 McAllister Street
MINORITY/WOMEN LOCAL BUSINESS ENTERPRISE ADVISORY	Wednesday, November 1, 1989 War Memorial, Veterans Building 401 Van Ness Avenue/McAllister St., Room 110B
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, October 4, 1989 9:00 AM Room 1159, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, October 19, 1989 3:00 PM Room 1159, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

Mr. John Roy Stoll - expressed concerns regarding employment opportunities in San Francisco. Director Jamero referred Mr. Stoll to discuss specific employment concerns with Mr. James Fields, HRC staffperson.

ADJOURNMENT

The meeting was adjourned by Commission Vice Chair Karen N. Kai at approximately 11:20 AM.

Respectfully submitted,

Peter M. Jamero
Executive Director

By: Pansy P. Waller
Contract Compliance Officer I

PMJ:PPW:bct

HRC/Min[CORR3]
10/5/89

City and County of San Francisco

Human Rights Commission
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REGULAR COMMISSION MEETING

Thursday, October 12, 1989
Auditorium
Department of Public Health
101 Grove Street
Time: 9:00 A.M.

AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Approval of the Minutes of the Meeting of Thursday, September 28, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

YOUTH AND EDUCATION COMMITTEE: Commissioner Isadore Pivnick, Chairperson
No report.

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen N. Kai, Chairperson
No report.

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Peter J. Sammon, Chairperson
No report.

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

Committee Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson
No report.

ADMINISTRATIVE: Commissioner Karen N. Kai, Chairperson

Committee Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience.
11. Adjournment.

PPW:np
Agenda/PPW[NP]

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, October 12, 1989

NEXT MEETING

DATE: Thursday, October 26, 1989
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commission Chair Lawrence B. Martin at 9:11 A.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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ROLL CALL

Commissioners

Present:	Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), Isadore Pivnick, and Peter Sammon.
Excused:	None.
HRC Staff	Peter M. Jamero (Executive Director); Frank Anderson, Adelbert Campbell, Paul De Rosa (Intern), James Fields, Jacquie Hale, Don Hesse, John Hurst (Intern), Nathaniel Mason, Richard Norton, Gail P. Roberts, and Panetta Scott.

A quorum of Commissioners was present.

MINUTES

It was
*** m/s/c to approve the minutes of the regular meeting of Thursday, September 28, 1989, as mailed.

COMMUNICATIONS

From Peter M. Jamero, Executive Director, to Larry Del Carlo, Mayor's Office of Community Development, a letter dated September 18, 1989, responding to his letter received the same day clarifying the impact of the recent Croson vs. Richmond, Virginia Supreme Court decision on HRC monitoring of the employment of minorities and women on all CDBG funded construction contracts of $10,000 or more and the monitoring of MBE/WBE subcontracting participation goals on all CDBG funded construction contracts of $75,000 or more.

From Peter M. Jamero, Executive Director, to Dennis P. Bouey, Deputy Director, San Francisco International Airports, a letter dated September 21, 1989, reaffirming the determination that O'Grady Paving, Inc. met the pre-award affirmative action requirements and was eligible for the award of Airport Contract No. 1952.

To All Department Heads and Personnel Officers from Maggie Jacobsen, Director, Employee Relations Division, a memorandum received September 27, 1989, requesting information and opinions pertinent to the development of a labor/employee - management cooperative program.

To Peter Jamero, Executive Director, from Msgr. William J. Barry, Chairperson, Attorney General's Commission on Racial, Ethnic, Religious and Minority Violence, a letter received September 27, 1989, of invitation to testify at their October 6, 1989 hearing at the Oakland City Council Chambers. Attached is a draft of the testimony presented by the Executive Director.

To Peter Jamero, Director, from Thomas F. Lee, President, Bay Architects Associates, Inc., a letter received September 28, 1989, concerning HRC's criteria for determining the small business status of architectural and engineering disadvantaged small business enterprises in connection with the MBE Ordinance.

To Peter Jamero, Director, from Martin A. Paley, Convenor, San Franciscans Seeking Consensus, a letter received October 2, 1989, inviting his participation in their annual leadership conference to be held Saturday, October 7, 1989.

To Peter Jamero, Director, from John J. Walsh, General Manager, Personnel, a memorandum received October 2, 1989, requesting that the HRC survey its examination priorities for full time personnel requisitions.

From Commissioner Isadore Pivnick, Chair, Youth and Education Committee, to Keith Choy, Director, Mayor's Office of Children, Youth and their Families, congratulating him on his appointment and providing information on the Committee and on his background.

To Gail P. Roberts and Jacquie Hale, HRC Coordinators, from Dean Ruffing, Director of Regional Sales, The Vagabond Inns, a letter received October 4, 1989, confirming arrangements for the HRC's Strategic Planning Retreat.

From Commissioner Lawrence B. Martin, Chair, to Jackie Winnow, Lesbian/Gay Coordinator on medical leave, a letter dated October 11, 1989, communicating the care and concern of the HRC.

Waiver Requests Granted

1. MBE/WBE/LBE waiver for the Bureau of Water Pollution Control, Department of Public Works, to award a $38,000 personal services contract to Lotepro Corporation, granted 10/5/89.

2. MBE/WBE/LBE waiver for the Civil Service Commission to award a $19,500 personal services contract to Robert F. Hicks, Ph.D., granted 10/3/89.

3. MBE/WBE/LBE waiver for the Arts Commission to award an $85,000 personal services contract to Alan Fleming, granted 9/29/89.

4. MBE/WBE/LBE waiver for the Arts Commission to award a $40,000 personal services contract to Patricia Johanson, granted 9/28/89.

5. Waiver of LBE requirement on bid preference for the $99.9 million construction contract for the Moscone Center Expansion Project from the Chief Administrative Officer, granted 9/28/89.

6. MBE/WBE/LBE waiver for the Port Commission to award $6,000 Work/Study funding to Cal State University, Hayward, granted 9/27/89.

7. MBE/WBE/LBE waiver for the Clean Water Program, Department of Public Works, to award a $6,900,000 architectural and engineering contract to CH2M-Hill, Inc., granted 9/19/89.

8. MBE/WBE/LBE waiver for the AIDS Office of the Department of Public Health to award a $26,000 contract to Damon Clinical Laboratories, granted 9/18/89.

REPORT OF THE CHAIRPERSON

Commission Chair Lawrence B. Martin deferred to Vice Chair Karen N. Kai as she had been acting in his stead since the last Commission meeting. Commissioner Kai stated that she had no report.

DIRECTOR'S REPORT

Executive Director Peter M. Jamero stated that Sharon Johnson assumed her duties as Director of the Commission on the Status of Women on Monday, October 2, 1989. Ms. Johnson is very knowledgeable regarding the workings of City Hall, having been the Mayor's Special Assistant for Children and Youth and an aid to Supervisor Harry Britt when he was newly elected. Sharon Johnson had been the Mayor's liaison for program to both the HRC and COSW. The Director observed that he and Ms. Johnson were working closely together in the transition.

The planning for the move to 25 Van Ness Avenue is on schedule and staff is working closely with the Real Estate Department. The Director is preparing a letter to Anthony Delucchi, Director of Property, confirming the status of the move. We anticipate moving in after December 1st.

The Executive Director was invited to testify at the October 6, 1989 hearing of the Attorney General's Commission on Racial, Ethnic, Religious and Minority Violence, held in Oakland. The major focus of the day of testimony was the cross burning incident in the East Bay. Director Jamero's testimony confined itself to the plans for the November forum on Hate Violence/Crimes.

Director Jamero announced the establishment of a Classification Review Committee, consisting of the following HRC staff: Bayard Fong, Linell Harden, Clemente Newball-Obregon, and Carmen Smith and chaired by Don Hesse. Working in conjunction with Civil Service staff, this committee is reviewing relevant job descriptions and classes. Their report is expected in mid November.

The HRC currently has five interns. John Hurst, a second year graduate student in the Department of Social Work Education, SF State University has begun his second year as an intern with the HRC. This time he is working in the Lesbian/Gay Unit. Eric Mar, a third year law student at New College School of Law, is continuing his internship through December. Frederique Clement, a senior at Cornell University in New York, is interning nearly full time for the fall semester. Paul De Rosa, a first year Social Work graduate student, has begun his internship. Cliff Gleischer, a recent Stanford graduate, is volunteering nearly full time with the Lesbian/Gay Unit. Ron Martinez, CORO Foundation intern, completed his five week full time placement with the HRC on October 6, 1989. We hope to have another intern as well. It is anticipated that two interns, one of them being Frederique, will be working with the Select Committee on African American Parity.

Aileen Hernandez is the Facilitator Consultant for HRC's Strategic Planning Retreat.

Commissioner Frankie Gillette inquired whether staff will have more or less space at 25 Van Ness than they have at 1095 Market. The Director responded that management staff will generally have private offices while line staff will each have 7 feet by 7 feet. The HRC is committed to the concept of open space utilization.

Commissioner Gillette requested additional information on waivers granted including the ethnicity and the rationale. Commissioners Gillette and Lockhart expressed interest in having a report on waivers. The Executive Director related that Clemente Newball-Obregon had presented a written report which he read at the September 14, 1989 meeting of the Commission. Commissioner Lockhart commended Director Jamero for initiating internally a classification review process, noting that this was very progressive.

STANDING COMMITTEES

MBE/WBE/LBE COMMUNITY ADVISORY

- Committee Report

MBE/WBE/LBE Community Advisory Committee Chair May Jaber deferred to Committee Vice Chair Lenore Chinn who presented the Committee report. At the September 28, 1989 meeting of the Committee, Clemente Newball-Obregon presented the report on waivers granted which he had given to the September 14, 1989 meeting of the Commission. Carmen Smith described the M/W/LBE certification process. There was discussion of collecting data for ethnic groups not covered by the current Ordinance.

It was then
*** m/s/c that the Commission accept the MBE/WBE Community Advisory Committee Report.

EMPLOYMENT

- Committee Report

Employment Committee Chair Frankie Gillette related that the Committee, at its October 5, 1989 meeting, heard a presentation by Committee member Maria Goode on the Renaissance Technical Training Institute. The "San Francisco is Cool" Report was not ready for Committee review at that time. Commissioner Gillette announced that Director Jamero made the following staff assignments to the Select Committee on African American Parity: James Fields 100%, Panetta Scott 50%, Nat Mason 25%, and Dick Norton 25%.

It was then
*** m/s/c that the Commission accept the Employment Committee Report.

SOCIAL ISSUES AND POLICE LIAISON

- Committee Report

Social Issues and Police Liaison Committee Chair Peter Sammon announced that the meeting of the Committee had been postponed from October 4 until October 18 in order that the summary report would be available. Commissioner Sammon reported that the City of Refuge Resolution had passed its first reading by the Board of Supervisors by a vote of 11 to nothing. The Mayor had established a Complete Count Committee, of which Director Jamero is a member, to encourage all residents to be counted by the 1990 U.S. Census. Commissioner Sammon observed that the Immigration and Naturalization Service had been increasing its raids to locate undocumented workers, producing a climate of fear among those who are harassed because of the color of their skin.

Committee Chair Sammon deferred to Committee Vice Chair Lucile Lockhart, who, in turn, called upon Don Hesse to present a progress report on the Hate Violence/Crimes forums. The forums are scheduled for November 14 and 15. Mr. Hesse referred to four pages of materials which were distributed to the Commissioners. These were a two page press release: "Major Forum Searches for Solutions to Prejudice-Motivated Violence"; a letter of invitation signed jointly by the Chairs of the HRC and of the Coalition for Civil Rights, and a one page response form. Copies of these are attached to these Minutes. Multiple copies of these materials are available to the Commissioners upon request. Don Hesse described contacts with other jurisdictions to learn how they were handling the issue of hate violence in their communities. Mr. Hesse observed that those planning the forums were very fortunate to be able to draw upon the considerable expertise of Fred Persily, a consultant in Contra Costa County. There will be a meeting at 1:00 P.M. on Monday, October 16, 1989, at the HRC offices to draw up the agenda, allowing ample time for questions. Mr. Hesse related that the planning group will continue to meet weekly.

Commissioner Lockhart requested that Commissioners obtain copies of the press release, notifying staff as to those media with which you have contacts and are sending the press release. Commissioner Lockhart announced the composition of the panel for the forums: Commissioner Martin presiding, Commissioners Bermudez, Kai, Lockhart, Pivnick and Sammon, Director Jamero, and six representatives from the Coalition for Civic Rights. Commissioner Lockhart explained that any Commissioner, whether or not they are on the panel, may ask questions. Those Commissioners who are on the panel need to attend the weekly planning meeting.

It was then
*** m/s/c that the Commission accept the Social Issues and Police Liaison Committee Report and approve the planning process for the Hate Violence/Crimes Forums.

ADMINISTRATIVE

- Committee Report

Administrative Committee Chair Karen N. Kai reported that a number of issues were discussed at the October 5, 1989 meeting of the Committee. The planned Commissioners/Management Staff Strategic Planning Retreat scheduled for October 20 and 21 will have to be re-scheduled because of the unavailability of Commissioner Martin. After discussion among the Commissioners as to their availability, December 8 and 9 was selected as the first choice and December 1 and 2 as the second choice. The facilitator, Aileen Hernandez, will be contacted to determine her availability.

Commissioner Kai related that the Administrative Committee heard the status of the public hearings and forums reports, all of which are in process. The standing committee appointment process will be discussed at the next meeting of the Administrative Committee.

HOUSING AND URBAN DEVELOPMENT

There was no report.

LESBIAN/GAY ADVISORY

There was no report.

YOUTH AND EDUCATION

There was no report.

NEW MATTERS

Commissioner Lucile Lockhart announced that the March Against Executions, jointly sponsored by the ACLU among others, was beginning today (October 12) in Sacramento and the rally in San Francisco was set for Saturday, October 21.

At the request of the Marin Human Rights Commission, Commissioner Frankie Gillette met with two of their Commissioners and a staff person to talk about our HRC so that they could reactivate their commission.

CALENDAR MATTERS

Gail P. Roberts, Interim Commission Secretary, announced that the Commission will be meeting on Thursday, October 26, 1989 and Thursday, November 9, 1989, at 9:00 A.M. in the Auditorium of the Department of Public Health, 101 Grove Street.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, November 2, 1989 3:30 PM HRC Conference Room 509 1095 Market Street
EMPLOYMENT	Thursday, November 2, 1989 9:00 AM Room 1154, State Building 350 McAllister Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, October 24, 1989 3:30 PM Room 1159, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, October 17, 1989 5:30 PM Room 1159, State Building 350 McAllister Street

MINORITY/WOMEN/ LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Wednesday, November 1, 1989 4:00 P.M. War Memorial Veterans Building 401 Van Ness Avenue, Room 110B
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, October 18, 1989 9:00 AM Room 1159, State Building 350 McAllister Street
YOUTH AND EDUCATION	Thursday, October 19, 1989 3:30 PM Room 1159, State Building 350 McAllister Street
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	Wednesday, November 15, 1989 Room 1157, State Building 350 McAllister Street

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

The regular meeting of the Human Rights Commission was adjourned by Commission Chair Lawrence B. Martin at 9:53 A.M.

Respectfully submitted,

Peter M. Jamero
Executive Director

By: Gail P. Roberts
Interim Commission
Secretary

PMJ:GPR:np
HRC/Min[CORR3]
10/20/89

City and County of San Francisco

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REGULAR COMMISSION MEETING

Thursday, October 26, 1989
Time: 9:00 AM
Auditorium
Department of Public Health

AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Approval of the Minutes of the Meeting of Thursday, October 12, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
    A. Approval of Executive Director's Proposed Organizational Structure
    B. Combined Charities Campaign: Mary Gin Starkweather
7. Standing Committees:

YOUTH AND EDUCATION COMMITTEE: Commissioner Isadore Pivnick, Chairperson

A. Acceptance of HRC Response to the Crack Epidemic and Adoption of Recommendations

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

No Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen N. Kai, Chairperson

No Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

No Report

ADMINISTRATIVE: Commissioner Karen N. Kai, Chairperson

No report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

No report

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

No report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

GPR:ad [Agenda]ANN

15) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

MINORITY/WOMEN/ LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Wednesday, November 1, 1989 4:00 P.M. War Memorial Veterans Building 401 Van Ness Avenue, Room 110B
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, October 18, 1989 9:00 AM Room 1159, State Building 350 McAllister Street

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REGULAR COMMISSION MEETING

Thursday, November 9, 1989
Time: 9:00 AM
Auditorium
Department of Public Health

AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Approval of the Minutes of the Meeting of Thursday, October 12, 1989
4. Communications
5. Report of the Chairperson
6. Director's Report
7. Standing Committees:

ADMINISTRATIVE: Commissioner Karen N. Kai, Chairperson

A. Resolution Directing Relocation of HRC to 25 Van Ness
B. Acceptance of HRC Organizational Structure
C. HRC Charter Revision Committee Report
D. Plans for Human Rights Day
E. Committee Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A. Resolution on recommendations arising from the public hearing on Police and Public Demonstrations
B. Resolution to the Mayor requesting an immediate investigation into Police Practices
C. Committee Report

YOUTH AND EDUCATION COMMITTEE: Commissioner Isadore Pivnick, Chairperson

A. Acceptance of HRC Response to the Crack Epidemic and Adoption of Recommendations

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

No Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Karen N. Kai, Chairperson

No Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

No Report

MBE/WBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

No Report

8. New Matters
9. Calendar Matters
10. Remarks from the Audience
11. Adjournment

GPR:ad

[Agenda]ANN

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OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, November 9, 1989

NEXT MEETING

DATE: Thursday, December 14, 1989
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commission Vice-Chair Karen N. Kai.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Commissioners

Present: Adrian Bermudez Jr., Lenore Chinn, Leonard Graff, May Jaber, Karen N. Kai (presiding), Lucile Lockhart, Isadore Pivnick, and Peter Sammon.

Excused: Frankie Gillette, Lawrence B. Martin

HRC Staff Peter M. Jamero (Executive Director); Adelbert Campbell, (Deputy Director), Linda Chin, Frederique Clermont (Intern), Paul De Rosa (Intern), James Fields, Don Hesse, Carolyn Hom, Nathaniel Mason, Veronica Ng, Norm Nickens, Richard Norton, Gail P. Roberts, Panetta Scott, David Treanor, and Pansy Waller.

Guests: Guillermo A. Chacon, Central America Refugee Committee (CRECE); Officer Rachel Karp, SFPD-Community Services Division; Donna Gaiso, CRECE; Gerard Koskovich; Lester Olmstead-Rose; L/GAC & Community United Against Violence; Tim Kingston, SF Bay Times; Eva Royale, Justice for Dolores Huerta Coalition; George Suncin, Horizons Unlimited of S.F., Inc.; Walter Johnson, San Francisco Labor Council; Seth Rosenfeld, S.F. Examiner; Ace Washington, WAPAC.

MINUTES

It was
*** m/s/c to approve the minutes of the October 12, 1989 meeting.

COMMUNICATIONS

To Anthony DeLucchi, Director of Property, from Peter M. Jamero, Executive Director, a memorandum dated October 12, 1989, confirming the arrangements for the relocation to 25 Van Ness Avenue and the projection for a late December occupancy.

To Norm Nickens, AIDS Discrimination Representative, from Betty F. Lorenz, Conference Coordinator, a letter received October 16, 1989, confirming his addressing the Invitational Workshop, "HIV-Related Discrimination Prevention and Resolution" in Bethesda, Maryland from December 6 through 8, 1989.

To Peter M. Jamero, Director, from Mara E. Rosales, Deputy City Attorney, a memorandum received October 17, 1989, indicating that Deputy City Attorney George Wong's team will handle all contract compliance issues respecting Chapters 12B, 12C, and 12D and she will continue to handle the AGC v. CCSF litigation and to advise on the proposed 12G legislation.

To All Boards, Commissions and Department Heads, from David Werdergar, M.D., M.P.H. Director of Public Health, a memorandum received October 17, 1989, advising departments as to the provisions of Proposition 65: the Safe Drinking Water and Toxics Enforcement Act of 1986.

To Peter Jamero, Executive Director, from A. J. DeLucchi, Director of Property, a memorandum dated October 17, 1989, responding to Director Jamero October 12 memorandum and explaining that commission approval is required prior to Real Estate Department submittal of legislation to the Board of Supervisor authorizing the lease.

To Office of the Mayor, from Peter M. Jamero, Executive Director, a memorandum dated October 20, 1989, reporting on the damage to 1095 Market Street and its impact on the HRC.

To Aileen Hernandez, Ph.D., from Peter M. Jamero, Executive Director, a letter dated October 20, 1989, following up on her appointment as Facilitator for the Strategic Planning Retreat and indicating the status of interviews being conducted and a draft follow-up questionnaire.

To Peter Jamero, Executive Director, from Julia I. Lopez, General Manager, Department of Social Services, a letter received October 25, 1989, inviting him to a hearing to be held by the Assembly Human Services Committee on Monday, October 30, from 9:30 A.M. to 12:30 P.M. at 170 Otis Street to hear testimony on inadequate financial support provided by the foster care system to grandmothers caring for the children of their crack-addicted children.

From Adelbert Campbell, Deputy Director, to HRC staff, a memorandum dated October 31, 1989, announcing that the scheduling of all HRC related meetings held outside of HRC offices is to be coordinated by the Commission Secretary.

To All Department Heads from Carol Wilkins, Deputy Mayor for Finance, a memorandum received November 2, 1989, announcing that travel requests will be signed once a week only on Fridays and requests are to be submitted at least two weeks prior to the departure date.

To Commissioners and Staff from David Treanor, a memorandum dated November 2, 1989, outlining the major budget deadlines for the FY 90-91 HRC Budget.

To Don Hesse, Fair Housing Coordinator, from Barbara T. Smith, Director, Mayor's Office of Housing, a letter received November 7, 1989, thanking him for the participation of his staff in the Rehousing Service Center at St. Mary's Cathedral and explaining that it will be necessary to provide housing relocation assistance through November 10.

To Anthony DeLucchi, Director of Property, from Commissioner Karen N. Kai, Vice Chair of HRC and Chair of the Administrative Committee, a letter dated November 7, 1989, transmitting a copy of the Resolution Directing Relocation of the Human Rights Commission to 25 Van Ness Avenue, adopted by the Administrative Committee November 1, 1989.

From Peter M. Jamero, Director to Claude Everhart, Deputy Mayor a memorandum dated November 3, 1989 re: Earthquake Report #2. Ed Ilumin is nominated as HRC's outstanding employee.

Waiver Requests Granted

1. MBE/WBE Waiver for the Civil Service to award a $12,000 personal services contract to Chales B. Gompertz, a White male as a sole source, granted 10/11/89.

2. MBE/WBE Waiver for the Civil Service Commission to award a $18,000 personal services contract to McBer & Company, a non MBE/WBE as a sole source, granted 10/11/89.

3. MBE/WBE Waiver for the Planning and Development Department of the Public Utilities Commission to award a $35,000 personal services contract to A. Lee Knight, a White male as a sole source, granted 11/6/89.

4. MBE/WBE Waiver for the Clean Water Program, the Department of Public Works, to award a $96, personal services contract to Air Products & Chemicals, Inc., a non MBE/WBE as a sole source, granted 11/6/89.

REPORT OF THE CHAIRPERSON

Vice-Chair Karen Kai

Commissioner Lawrence B. Martin will be returning from Japan on November 13, 1989.

This is the first meeting since the earthquake. HRC offices sustained some cosmetic damage. Commissioner Kai wished to commend staff for their volunteer work for other agencies and support of one another.

There will be a reception in early March for San Francisco Commissioners. The reception will be organized by a group of minority commissioners. The intent of the event is to spotlight minority commissioners and will include all City Commissions as well as key community groups. Friends of the HRC will be treasurer for the event. "Minority group" also includes Disabled and Lesbian and Gay persons.

DIRECTOR'S REPORT

- Executive Director Peter M. Jamero commended staff for work in housing relocation after the earthquake. Staff has fully recovered from the trauma.

- Director Jamero recommended to the Mayor that in the case of another earthquake HRC needs to be involved in command center activities to avoid disparate treatment and to plan for translation services.

- Director Jamero will be attending a Performance Based Management Seminar in mid-November.

- The Strategic Planning Seminar is proceeding on schedule.

STANDING COMMITTEES

SOCIAL ISSUES AND POLICE LIAISON COMMITTEE

Commissioner Peter Sammon

This report concludes a 6 month process which addressed public concern over the police relations with the public. The HRC was asked to address the Human Rights aspects. A public hearing was held June 28.

The intent of the hearing was to address the "Unfinished Business" between the police and the public. After the hearings the HRC made recommendations that communications be improved between the police and the community; that persons had a right to legitimately protest; that to dissent was not the same as breaking the law; and that people had a constitutional right to free speech.

Summaries of the testimony and recommendations have been prepared.

Commissioner Sammon wished to thank the SI/PL members and especially commended Don Hesse for his work. The Bar Associations, the ACLU and CUAV have also contributed.

The SI/PL committee is accountable to the Commission and to the Mayor, and is calling upon the departments and officials who receive the recommendations to also be accountable including the Mayor's Office. By May, 1990, a report will be issued on the status of the recommendations.

The HRC has the power to research, investigate and make recommendations. Others have the power to implement those recommendations.

There have been three incidents recently which illustrate that the title "Unfinished Business" is truly accurate. These incidents have involved:

1) the Labor Community
2) the Central American Refugees and
3) the Lesbian/Gay Community

Representatives from each of these groups have come to speak to the Commission.

Commissioner Sammon then moved that the memorandum regarding Proposed Recommendations from the Public Hearing on Police and Public Demonstrations be approved by the commission. The motion was seconded and the public was invited to present testimony, after which the vote would be taken.

- The first speaker was Mr. Gerard Koskovich. He was present at the October 6, 1989 demonstration from the beginning at the Federal Building and later on Castro St. He observed that the police action was designed to impede and harass the protestors. He claimed there was no place for the protection of protestors or their First Amendment Rights. He witnessed beatings of protestors by the police without provocation. There was a subsequent blockade of the Castro neighborhood resulting in virtual house arrest. He stated that the police need to realize that the residents of the Castro were protecting their neighborhood against the attack of the police.

In response to Commissioner Sammon's question, Mr. Koskovich noted many uniformed officers but could not tell if plainclothes officers were involved.

- Commissioner Graff felt an underlying motivation must exist in the police department that superseded the lack of utilization of police procedures. Mr. Koskovich felt that the incident was largely the result of homophobic reaction on the part of the police.

The next witness was Mr. Guillermo Chacon from the Central American Refugee Committee who was part of a November 1, 1989 demonstration at the El Savadoran Consulate. The purpose of the demonstration was to bring to the Bay Area attention to events in El Salvador. Mr. Chacon's testimony in brief follows: He was with a group of people on the 5th floor of the Flood Building at 870 Market Street outside the doors of the Consulate. After about 45 minutes, police entered and said they were disturbing the peace and must move or be arrested. As Mr. Chacon moved away from the door he was forced to the floor by the police. Other demonstrators joined and it became a major confrontation. Mr. Chacon was then tightly handcuffed and the policeman then said he would call the INS. This incident brought back many bad memories of his experience in El Salvador.

In answer to a query by Commissioner Sammon, Mr. Chacon said he was able to start moving away from the Consulate doors about 2 minutes after the police demanded that people disperse.

Commissioner Sammon commented that the police officer's threat to call the INS was a blatant violation of the City of Refuge Resolution adopted by San Francisco and also violated an ordinance signed by Mayor Agnos in October, 1989. Also in apparent violation of the Resolution and Ordinance is a department of State report condemning the activities of various Central America Refugee groups and naming members which concluded by stating that the information in the report should be shared with law enforcement officials in both the U.S. and El Salvador. He also said that people who have fled from fear in Central America need not live in fear in the U.S.A.

Commissioner Sammon also recalled the picture-taking incident at the Salvadoran Consulate when the police officer gave a film containing photographs of refugee protestors to a Salvadoran official. He questioned whether the SFPD is working cooperatively with the State Department in violation of the City of Refuge Resolution.

- Mr. Walter Johnson, head of the San Francisco labor Council was the next witness. He was arrested with other demonstrators on September 30, 1989 after singing and sitting-in in the lobby of the Hyatt on Union Square. Mr. Johnson was charged with "conspiracy to commit a misdemeanor" (trespassing) which is a felony. He then called Jeff Brown, Public Defender who arranged for their release.

This was unusual from previous arrests in that the women were strip-searched and there was a long delay in booking. Mr. Johnson felt that Sgt. Bernadine acted on his own in declaring this was a conspiracy and the police department became judge and jury.

Mr. Johnson wrote a letter to Chief Jordan and received an apology. He feels very disturbed by the changes which have taken place since Mayor Alioto's time.

Mr. Johnson said there needs to be more discipline and control of individual police officers. The testimony was then concluded.

It was then unanimously agreed that the memorandum on Recommendations on Police and Public Demonstrations be approved.

- Commissioner Sammon then referenced an open letter to the Lesbian/Gay Community from Mayor Agnos. The Mayor expresses his concern over the October 6, 1989 incident and encourages witnesses to report incidents to the OCC (Office of Citizens Complaints).

However, this has backfired in the past because witnesses who have gone to the OCC have been forced to testify before the Grand Jury. People are now reluctant to go to the OCC.

It was
*** m/s/c unanimously to adopt the "Resolution Requesting the Mayor to conduct an Immediate Investigation into the San Francisco Police Department."

- Commissioner Lockhart stated that apologies are easy to make and new orders are easy to issue but there needs to be an attitudinal change within the police department in order for real changes to happen.

- Commissioner Sammon wished to commend Officer Rachel Karp for her work on the SI/PL Committee. He also stated that two things must be balanced, public order and the rights of individuals. Refugees must be free to walk our streets without fear if we are truly to live up to our name as a City of Refuge.

- Commissioner Lockhart then called Don Hesse to give a summary of the Hate Violence Committee's work.

- Mr. Hesse reported that the the Public Forum has been delayed until mid-January because of the earthquake. The delay however has helped the Committee to make better plans and there will be more press coverage because it will coincide with Dr. Martin Luther King's Birthday.

- Mr. Hesse thanked the Commissioners, SI/PL members and the clerical staff for their help.

- Commissioner Kai then thanked the speakers who had testified.

ADMINISTRATIVE COMMITTEE

Commissioner Kai announced that the Administrative Committee had passed a resolution in the form of a letter to the management of 25 Van Ness Ave. confirming the HRC's intent to move.

- Organizational Structure

Commissioner Kai stated that what is before Commission is only the organizational structure. Deployment of staff is up to the Director. There was an intent to discuss the structure at the retreat, but if the structure is passed, and implementation has begun before the retreat, the Commissioners will have more information to work with. A transition period is planned and in-service training is planned.

Commissioner Isadore Pivnick moved to adopt the structure and Commissioner Sammon seconded it.

Active discussion followed which included the following comments:

Commissioner Bermudez - wished to wait until after retreat for approval.

Commissioner Pivnick - felt that the responsibility as commissioners is to have a titular head (Director Jamero) who is held accountable for HRC work. He must have a structure in place which he feels comfortable to accomplish these tasks. Failure to approve the structure will hinder the goals and objectives of the HRC.

Commissioner Sammon - noted that approximately 20 meetings had been held involving staff members since March 3, 1989 and felt that immediate approval is necessary. It is a dynamic plan and changes can be recommended later on.

Commissioner Graff - commended Director Jamero for his hard work. He felt that the goals and priorities needed to be discussed at the retreat before adoption of the structure.

Director Jamero - The best scenario would be to start out with no matters pending but that isn't reality. He is looking forward to the retreat to further discuss priorities. However, he emphasized we already know what some of these priorities are and should move to adopt an organizational structure which reflects such priorities as:

1) Implementation of MBE/WBE/LBE program
2) Discrimination in Employment
3) Hate Violence Concerns.

This is a living document, not cast in concrete.

If priorities change at the retreat the document can change. There is a real need to move ahead now. The staff has been in limbo since September waiting for their assignments.

Commissioner Bermudez - commended Director Jamero for his work and effectiveness. He stated that he had gotten a call from a very fearful member of staff who didn't understand the structure and what was going on. He reiterated that he wanted to wait until after the retreat.

Commissioner Lockhart - in response to Commissioner Bermudez stated she had never seen any organization without problems. Staff who have problems should go to the Personnel Committee. Also a Job Classification review is in progress.

Commissioner Kai then called for a Roll Call for approval of the organizational structure:

Commissioner Bermudez - No
Commissioner Chinn - No
Commissioner Graff - No
Commissioner Jaber - No
Commissioner Kai - Yes
Commissioner Lockhart - Yes
Commissioner Pivnick - Yes
Commissioner Sammon - Yes

The motion failed.

Commissioners then requested to speak further.

Commissioner Lockhart feels it is improper for staff to bring such concerns to commissioners. She feels it is not the commissioners' function to arbitrate any disagreement between the director and staff.

Commissioner Lockhart queried whether the staff person who had complained to Commissioner Bermudez and had prompted his vote should have more appropriately gone to the Personnel Committee.

Commissioner Pivnick asked whether there was a grievance procedure in place where the aggrieved person could have gone through proper channels, speaking first to their immediate supervisor about their concerns and then move up through the system.

Commissioner Graff wants to make sure these are policies in place to address not only grievances of staff but alcohol and substance abuse problems as well.

Commissioner Chinn feels that staff should have direct access to commissioners.

Director Jamero, in response to a query by Commissioner Graff, pointed out some of the changes he felt were necessary. He showed the structure he had inherited and compared it to the proposed new structure. For example, presently, one supervisor has nine supervisees while another has only two. More flexibility is needed. He feels these issues are urgent.

Commissioner Kai wished to talk to Commissioner Bermudez about his phone call and try to resolve the situation within the proper parameters and with the involvement of the Director.

- Charter Revision Committee Report

Commissioner Kai -

The No vote on Proposition S has raised concerns. One of the charges of the Commission is to protect the rights of Lesbians and Gays and the committee doesn't want to jeopardize that. If the HRC was to become a charter commission it would have to be put before the voters which conceivably could again make Lesbians and Gays a political issue. That is the major immediate concern of the committee.

- Human Rights Day

It was
* * * m/s/c that the HRC Resolution Commemorating the Forty First Anniversary of Human Rights Day be approved. A copy will be sent to the Board of Supervisors asking that they declare December 10, 1989 Human Rights Day.

- Other Issues before the Administrative Committee

1) A question of quorum was resolved by the City Attorney's office
2) A list of appointments to Standing Committees was distributed
3) The members of the Personnel Evaluation Committee are Commissioners Kai, Martin and Pivnick.
4) Information on the proposed Goddess of Democracy Statue for erection in Portsmouth Square will be distributed for commissioners' information.

YOUTH AND EDUCATION COMMITTEE

Commissioner Pivnick.

The report on the Human Rights Commission Response to the Crack Epidemic was the result of a forum held in May, 1989 and contains recommendations to be shared with various persons and departments with letters tailored to their specific areas of concern.

Commissioner Pivnick wished to thank the members of the Committee for their time and effort.

It was
* * * m/s/c that the report be accepted and the recommendations be adopted.

There were no other committee reports.

HOUSING AND URBAN DEVELOPMENT

There was no report.

LESBIAN/GAY ADVISORY

There was no report.

CALENDAR MATTERS

The next meeting will be held December 14, 1989.

STANDING COMMITTEES

ADMINISTRATIVE	(None scheduled)
EMPLOYMENT	Thursday, December 7, 1989 9:00 AM Room 1154, State Building 350 McAllister Street
HOUSING AND URBAN DEVELOPMENT	Tuesday, December 12, 1989 3:30 PM Room 1159, State Building 350 McAllister Street
LESBIAN/GAY ADVISORY	Tuesday, December 19, 1989 5:30 PM Room 110B, War Memorial Veterans Bldg. 401 Van Ness Ave.
MINORITY/WOMEN/ LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	(None scheduled)
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, December 13, 1989 9:00 AM Health Service System, Board Room 1212 Market Street
YOUTH AND EDUCATION	Thursday, December 21, 1989 3:30 PM Commission on Aging, Conference Room 25 Van Ness Ave.
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	Wednesday, January 10, 1990 9:00 A.M. (Location to be announced)

NEW MATTERS

There were no new matters.

REMARKS FROM THE AUDIENCE

- Adelbert Campbell - Deputy Director

Mr. Campbell spoke about how he and Director Jamero have been devoted to team building and addressing the new issues as well as the old issues which must be dealt with.

He respects the concerns and opinions of the Commissioners regarding the need for both open communications and a grievance procedure. He stated, the proper procedure for a grievance is for an employee to go to his/her supervisor, then to the deputy director, then to the director. When people choose to skip steps in this procedure, the Commissioners shouldn't be burdened. He stated that this morning we were looking at an opportunity to stem the tide of deterioration of morale of the staff. He echoed Director Jamero's statement about the staff being in limbo, awaiting the adoption of the structure so we can get on with our work. Staff now has one more month of limbo. He is sorry that the organizational structure was not passed.

- Pansy Ponzio Waller - HRC Contract Compliance Officer

A Bonding and Insurance Workshop will be held November 16, 1989. It is expected that 100 people will attend.

- Ace Washington, Director of Western Addition Project Area Committee

Mr. Washington wished to inform the Commission of problems in the A2 development area including the Tishman Project, gentrification of the area, the return of Black Merchants and the hiring of residents. He has been to the Housing Authority and the Redevelopment Agency. He had tried to meet with former Director Mickins but was asked to wait until the new director was in place. In the meantime the community suffered and did not get jobs that Mr. Washington feels were rightfully theirs.

He presently has concerns regarding the Housing Authority. He claims the Housing Authority does not presently have an affirmative action program in place.

HUD has recently granted $18 million for the Housing Authority to build Plaza West. Money has also been granted to rehab Alemany Projects. The Housing Authority is about to let $100,000 contract for job development. The Board of Supervisors is going to investigate Housing Authority procedures.

Mr. Washington asked if staff has authority to oversee the Housing Authority's Affirmative Action Program. There are jurisdictional issues which need to be cleared up. Mr. Don Hesse has been assigned to check on HRC's role.

ADJOURNMENT

The meeting was adjourned by Commissioner Kai at 11:20 A.M.

Respectfully submitted,

Peter M. Jamero
Executive Director

By: Mary Gin Starkweather
Contract Compliance Officer
Liaison to Disabled Community

PMJ:MGS:np
HRC/Min[CORR5]
1/4/90

City and County of San Francisco

Human Rights Commission
Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

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REGULAR COMMISSION MEETING

Thursday, December 14, 1989
Auditorium, Room 300
Department of Public Health
TIME: 9:00 A.M.

REVISED AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Communications
4. Report of the Chairperson
5. Director's Report

    A. Report on participation in the Martin Luther King Birthday Celebration.
    B. Final Report on United Charities Campaign: Mary Gin Starkweather.

6. Standing Committees:

    ADMINISTRATIVE: Commissioner Karen N. Kai, Chairperson

    A. Strategic Planning Retreat Report
    B. Planning for HRC's FY 90-91 General Fund Budget
    C. Acceptance of Executive Director's Organizational Structure
    D. Committee Report

    EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

    A. Committee Report

    MBE/WBECOMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

    A. Bonding/Insurance Workshop Report: Pansy P. Waller

    SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon Chairperson

    A. Committee Report

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Adoption of a Resolution Reaffirming HRC's Commitment to Domestic Partners

B. Approval of the sending of a letter to Health and Human Services Secretary Louis Sullivan requesting HHS to include Paul Gibson's suicide study

C. Adoption of a Resolution of Appreciation for Dan Turner

D. Committee Report

HOUSING AND URBAN DEVELOPMENT: Commissioner Adrian Bermudez Jr.,

A. Committee Report

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A. Committee Report

7. New Matters
8. Calendar Matters
9. Remarks from the Audience
10. Adjournment

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1095 Market Street, Room 501
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Minutes of the Meeting of Thursday, December 14, 1989

NEXT MEETING

DATE: Thursday, January 11, 1990
TIME: 9:00 A.M.
PLACE: Department of Public Health
101 Grove Street. Auditorium, Room 300

The meeting was called to order by Commissioner Lawrence B. Martin at 9:12 A.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Commissioners

Present: Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin (presiding), Isadore Pivnick

Excused: May Jaber, Peter Sammon

HRC Staff Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Larry Brinkin; Frederique Clermont (intern); James Fields; Jacquie Hale; Don Hesse; Nathaniel Mason; Norm Nickens; Richard Norton; Gail P. Roberts; Panetta Scott; Mary Gin Starkweather; David Treanor; Pansy P. Waller; Gary Wong

Guests: Janice Kramer; Ace Washington, Western Addition Project Area Committee; Verna Tam

A quorum of Commissioners was present.

MINUTES

Ms. Roberts reported that the minutes of December 14, 1989 were not yet available and would be sent as soon as possible.

COMMUNICATIONS

To: The Honorable Harry Britt, President, Board of Supervisors, from Commissioner Karen N. Kai, Acting Chair and Vice Chair, a letter dated November 21, 1989, transmitting the HRC Resolution commemorating the forty-first anniversary of the Universal Declaration of Human Rights and requesting Board of Supervisors' action to draw special public attention to Human Rights Day on December 10, 1989.

To Peter Jamero, Director, from Frank M. Jordan, Chief of Police, a letter received November 28, 1989, requesting input regarding the part-time employment of retired City employees as potentially a valuable, experienced resource for Civil Service managers.

To Peter Jamero, San Francisco Human Rights Commission, from Kathryn Broderick, Staff Coordinator, Marin County Human Rights Commission, a letter received November 30, 1989, requesting organizational models for structures and procedures to facilitate an efficient means of investigating and resolving complaints.

To Peter Jamero, San Francisco Human Rights Commission, from Christine V. Tejada, KQED 1990 Census Forum Committee, a letter received December 1, 1989, confirming his participation on a panel of seven experts for the Forum: "1990 Census: More at Stake Than Numbers," Tuesday, January 16, 1990 from 11:30 A.M. to 1:30 P.M. in KQED's Studio A.

To Gail P. Roberts, Retreat Coordinator, from Thad Brown, Tax Collector, a letter received December 4, 1989, granting the requested waiver of the hotel tax for attendees at the Strategic Planning Retreat December 8 and 9, 1989.

To Pansy P. Waller, Contract Compliance Officer I, from Peter M. Jamero, Executive Director, a memorandum dated December 4, 1989, congratulating her for a job well done on the successful Bonding Workshop held Thursday, November 16, 1989.

To Peter Jamero, Executive Director, from William R. Tamayo, attorney at law, a letter received December 7, 1989, reflecting serious concerns as to whether the responsibility for reviewing contract compliance with the MBE/WBE Ordinance should remain within the jurisdiction of the HRC, and recommending that the HRC canvass MBE's and WBE's for their direct input.

A Fact Sheet in Response to Selected Items of H & H Trucking letter prepared December 12, 1989 by the Deputy Director.

A copy of a San Francisco Examiner article dated December 11, 1989, entitled "Longtime activist wins major civil liberties award" regarding Aileen Hernandez having won the Earl Warren Civil Liberties Award from the American Civil Liberties Union of Northern California.

Waiver Requests Granted

1. MBE/WBE Waivers for the Port Commission to award seven emergency contracts entered into after the October 17th earthquake, on the basis of the emergency, granted 11/14/89.
    a) Contractor Nelson Ironworks, a White male, for $4,000;
    b) Contractor Western Acoustics, a White male, for $38,000;
    c) Contractor Rigging International, a White male, for $20,000;
    d) Contractor Patent Scaffolding, for $11,000;
    e) Contractor E. Mitchell, Inc., a White female, for $50,000;
    f) Contractor Jim Phelan, Steeplejack, a White male, for $5,000;
    g) Contractor Excel Environment, a White male for $50,000.
2. MBE/WBE Waiver for the Department of Public Health to award a $20,000 personal services contract to D M Information Systems, Inc., a company of two males and one female, as a sole source, granted 11/20/89.

REPORT OF THE CHAIRPERSON

Commissioner Lawrence Martin stated that the Commissioner-management staff retreat held December 8-9, 1989 went very well and was a very positive step for the Commission. He noted that Commissioner Karen Kai had helped in Chair duties recently, and asked her to make the report. She noted she would combine her report with the Administrative Committee report.

Commissioner Martin thanked Frederique Clermont, intern from Cornell University who was completing her internship with the HRC and expressed appreciation for her participation in the retreat.

DIRECTOR'S REPORT

Director Jamero reported on the following:

Commissioner-Management Staff Strategic Planning Retreat

He noted that the retreat held on December 8-9, 1989 had been very much needed, and he appreciated the participation of Commissioners and management staff and the facilitation by Aileen Hernandez. Director Jamero commended Gail Roberts

DIRECTOR'S REPORT (cont.)

Commissioner-Management Staff Strategic Planning Retreat (cont.)

for a fine job of orchestrating logistics. He thanked interns John Hurst and Paul De Rosa for their interviews with Commissioners and staff, Frederique Clermont for her help in logistics and other preparations, and Jacquie Hale for coordinating planning during Ms. Roberts' vacation. He also expressed appreciation to the Commissioners and staff who conducted staff interviews with members of the Board of Supervisors.

He reported that staff had already followed up on some of the Retreat's recommendations, including an initial report to staff at a meeting held that week and plans for a subsequent all-staff retreat, tentatively scheduled for January.

Management Training Seminar

He reported that he had attended this week-long performance-based management seminar for department heads provided by Civil Service, had found it helpful, and hoped to put it to good use.

Office Move

The Board of Supervisors' Government Operations Committee approved the new lease for HRC offices on December 11, 1989; the full Board approved it later that same day. Move to the new offices is scheduled for between February 1-15, 1990.

Mayor's Complete Count Committee

Mayor Agnos has asked Mr. Jamero to serve on this Committee, to insure that the 1990 Census is as accurate as possible, and fully takes into account San Francisco's unique diversity. Norm Ishimoto, Director of the Committee's Northern California office, has asked to make a presentation to the Commission in January.

Classification Review Committee

This staff Committee has submitted its preliminary report to Director Jamero, and a final report to him is expected later in December, which will be submitted to Civil Service. The purpose of the Committee is to review HRC's present staff classifications in light of current program and staff needs.

Issues

Appeal of Denial of Certification: A previous recommendation by staff to initially deny certification of a business as locally owned under the M/WBE ordinance which was appealed was re-examined and, on the basis of new evidence in the appeal, a certification was made. Director Jamero offered to give Commissioners details on the case after the meeting, as appropriate.

H & H Trucking Complaint: A fact sheet in response to selected items in a recent letter to Commissioners and the Mayor from H & H Trucking was included in Commissioners' meeting packets.

Work Order Funding: Staff is working on a new arrangement with the Department of Public Works regarding reimbursement for contract monitoring.

Coalition for Civil Rights: Director Jamero called attention to a letter from William Tamayo of the Asian Law Caucus regarding the Coalition for Civil Rights which asked that the Caucus link its efforts with the HRC's planning efforts. Director Jamero expressed his hope that a working relationship could be established.

Bonding/Insurance Workshop: The workshop, held on November 16, 1989, was very successful. Director Jamero especially commended Pansy Waller for her work in organizing the workshop. Director Jamero noted that he had received much positive feedback, and hoped to be able to repeat such efforts in the future.

DIRECTOR'S REPORT (cont.)

M/WBE Data System
Vicky Zimpel of the HRC staff is developing this computer data system to collect and analyze M/W/LBE program information with the Controller's Office, and will make a presentation to staff on December 19th.

Final Report on United Charities Campaign: Mary Gin Starkweather
Ms. Starkweather reported that the 1989 Combined Campaign had been very successful: 29 staff and Commissioners participated, and a total of $2,946 was collected, a 30% increase over last year. She thanked all who donated and helped with the Campaign.

Report on Participation in the Martin Luther King, Jr. Birthday Celebration: James Fields

Mr. Fields reported on the following as part of the events scheduled to celebrate Dr. King's birthday:

-- a trip to attend the national celebration in Atlanta, Georgia, which he will attend, sponsored by Glide Foundation, January 13-15;

-- a Freedom Train ride also organized by the Glide Foundation, from San Jose to Oakland on January 15th;

-- the 6th Annual Labor-Community Breakfast, January 15th;

-- the debut of new episodes of "Eyes on the Prize," the PBS documentary series, in January.

He also reported that the Martin Luther King Foundation celebration office in Washington, D.C. would forward a listing of national events to HRC's Select Committee on African American Parity (SCAAP). The Foundation office advised him that state and local groups needed to take responsibility for planning local events. Mr. Fields indicated he would provide more information as it became available.

STANDING COMMITTEES

Administrative

A. Strategic Planning Retreat Report

Commissioner Kai thanked the Commissioners who attended the November 28th meeting of the Committee for a discussion with retreat facilitator Aileen Hernandez and help plan for the Commissioner-management staff retreat. She called attention to a memorandum prepared by Gail Roberts, which summarized several points on which consensus had been reached at the retreat, including: increased focus on community-based work, systematic program planning, more teamwork, better and more communication throughout all organizational levels, and increased input from staff in decision-making.

The memorandum also noted agreement to reduce the number of standing committees. It was agreed to definitely maintain the current Lesbian/Gay Advisory and MBE/WBE Committees. There was a suggestion to consolidate other Committees into two new Committees, Affirmative Action and Dispute Resolution. Commissioner Kai also strongly expressed the need to insure follow-up from the retreat with staff, and that commissioners be included in this follow-up. She noted that additional materials from the retreat were expected from Ms. Hernandez, which should help in follow-up.

B. Planning for HRC's FY 90-91 General Fund Budget

David Treanor defined budget terminology, calling attention to a memorandum to Commissioners included in their meeting packets which outlined the budget request process for 1990-91. Key dates included were:

January 5: incremental budget requests from Commissioners and staff due to Mr. Treanor

STANDING COMMITTEES (cont.)

B. Planning for HRC's FY 90-91 General Fund Budget (cont.)

January 18:	Administrative Committee meeting to review and prioritize budget requests
January 26:	public hearing at the regular Commission meeting
February 9:	final review by the Commission at its regular meeting
February 14:	budget request submitted to the Mayor
April 30:	Mayor's Office budget review

He noted that the outline was based on the usual budget process as followed in previous years, and that specific guidelines from the Mayor's Office were expected in January. He reported that budget requests should be tied to priorities as established at the retreat. Commissioner Lucile Lockhart thanked him for his presentation.

C. Acceptance of Executive Director's Organizational Structure

Commissioner Martin noted the Commission's decision at the Commissioner-management staff retreat to review Director Jamero's proposed organizational structure. Director Jamero summarized the proposal, and presented an organizational chart and a listing of HRC staff Units included in Commissioners' meeting packets. The proposed structure encompasses four units: Dispute Resolution, Lesbian/Gay, M/WBE Monitoring and Employment, and M/WBE Systems and Development, as well as administrative staff. After discussion, Commissioner Martin stated that it was important for Commissioners to support the plan.

*** It was m/s/c to accept the Executive Director's organizational structure as presented.

Commissioner Martin noted that the retreat was the first step in a longer process, and that a follow-up meeting was scheduled for April, as well as a follow-up workshop for staff tentatively scheduled for January.

D. Committee Report

Commissioner Kai reported that the Commission's ad hoc Charter amendment committee had met to develop revised language regarding Supervisor Willie B. Kennedy's proposed Charter amendment on the HRC, and had been working on details with the Supervisor.

*** It was m/s/c unanimously to vote on whether or not to submit draft language for an amendment to the City's Charter to establish the HRC's authority, powers and duties under the Charter (rather than under the San Francisco Administrative Code, as it is now), as the need to do so arose after the meeting's agenda was distributed.

*** It was m/s/c to accept draft language for an amendment to the City's Charter to establish the HRC's authority, powers and duties under the Charter (rather than under the San Francisco Administrative Code, as it is now), and to submit this language as HRC's recommendation to Supervisor Willie B. Kennedy, author of this Charter amendment legislation.

Commissioner Kai reported that Commissioner Adrian Bermudez would now chair the Housing and Urban Development Committee.

She also reported that in response to HRC efforts, the Mayor and the Board of Supervisors had declared December 10, 1989 as "Human Rights Day" in San Francisco.

She noted that the date of the next Administrative Committee meeting noted in budget materials was tentative and might change.

STANDING COMMITTEES (cont.)

Employment Committee

A. Committee Report

Commissioner Frankie Gillette reported that the Committee met on December 7th, and that its next meeting would be on January 18th. At that meeting, the Committee hoped to be able to begin its work to insure that a comprehensive Summer Youth Employment Program would be implemented as a result of the Committee's report.

Commissioner Gillette also reported that the HRC's Select Committee on African American Parity had held two full Committee meetings and several subcommittee meetings. She noted that its work had been delayed due to delays in securing a Principal Investigator for its work. She reported that the Committee strongly urged that the Investigator be hired immediately. Director Jamero noted that Deputy Director Bert Campbell was completing a list of candidates.

She also reported that the Employment Committee had discussed HRC's re-organization plans and wanted to emphasize the importance of an adequately staffed Employment Unit within HRC and the importance of employment issues in San Francisco.

*** It was m/s/c/ to accept the report of the Employment Committee.

MBE/WBE Community Advisory Committee

A. Bonding/Insurance Workshop Report: Pansy P. Waller

Ms. Waller reported that the workshop had been a great success with 109 attending and much positive feedback. She briefly analyzed reasons for the success, emphasizing early intensive planning and good teamwork by staff, including: Director Jamero, Frank Anderson, Bert Campbell, Linda Chin, James Fields, Bayard Fong, Jacquie Hale, Carolyn Hom, Nat Mason, Veronica Ng, Norm Nickens, Richard Norton, Clemente Obregon, Bernedette Patrocinio, Panetta Scott, Carmen Smith, and David Treanor. Commissioner Lenore Chinn noted that she had attended the workshop and found it very informative, and commended all who developed it.

*** It was m/s/c/ to accept the staff report on the November 16, 1989 bonding/ insurance workshop made by Pansy P. Waller.

Social Issues and Police Liaison

A. Committee Report

Commissioner Lockhart made the report in the absence of Commissioner Sammon. She noted that the next Committee meeting would be held on January 10th at 9:00 A.M. She reminded those present that the Commission's "Hate No More" community forum on hate violence would be held on January 17-18, 1990, from 6:00 P.M. to 10:00 P.M.
in the new State Building auditorium, 505 Van Ness Avenue. The forum is a joint project of the Commission and the Coalition for Civil Rights. A briefing will be held for Commissioners and forum panel members prior to the forum.

She reported that Commissioner Sammon, Director Jamero and she had met with Deputy Mayor Claude Everhart regarding HRC's recommendations regarding public demonstrations, and that Deputy Mayor Everhart had agreed to ask the Police Department for its response to HRC's recommendations. She also reported that Commissioner Sammon and Director Jamero had testified at a special public hearing on public demonstrations held by the Board of Supervisors.

Commissioner Lockhart asked Don Hesse to report on the City of Refuge ordinance. Mr. Hesse noted that HRC was specifically charged as the enforcement agency under the ordinance, which did not impose sanctions for violators. The Committee had reviewed the ordinance, and was concerned

STANDING COMMITTEES (cont.)

Social Issues and Police Liaison (cont.)

regarding notification of department heads and City employees of its provisions. The Committee wants HRC to work with the Board of Supervisors in carrying out the publication and enforcement of the ordinance. Rules of Procedure for the ordinance are being prepared. Some discussion followed.

*** It was m/s/c/ to accept the report of the Social Issues and Police Liaison Committee.

Lesbian/Gay Advisory

A. Committee Report

Commissioner Leonard Graff asked Larry Brinkin to make the Committee's report. Mr. Brinkin reported that the Committee had met on November 21st, and that the Committee's meeting of October 17th had been cancelled due to the earthquake. He reported that in January the Committee would ask the Commission to write Secretary of Health and Human Services Louis Sullivan regarding his homophobic comments in regards to a study performed by Paul Gibson on youth suicide which stated that over one third of youth suicides are related to being lesbian or gay.

Also at the Committee's last meeting, Commissioner Graff reported to the Committee about recent internal problems at National Gay Rights Advocates.

Mr. Brinkin reported that longtime Committee member Dan Turner had resigned for health reasons, and that the Committee would ask the Commission for a special resolution commending his work at the next Commission meeting.

He reported that the Committee had discussed the 1990 International AIDS Conference, to be held in San Francisco, and the possible effects of the Immigration and Naturalization Service's policies regarding people with HIV disease.

Director Jamero also attended the Committee meeting and reported on the HRC Commissioner-management staff retreat, including assuring the Committee that additional staff would be added to the Lesbian/Gay Unit.

Mr. Brinkin reported that the November 7th election's defeat of the Domestic Partnership ordinance was a serious blow to the lesbian/gay community, and that in January the Committee would recommend a HRC resolution regarding the ordinance and the election.

*** It was m/s/c/ to accept the report of the Lesbian/Gay Advisory Committee.

Housing and Urban Development

A. Committee Report

Commissioner Bermudez stated that there was no report. He thanked Commissioners Kai, Lockhart and Mr. Hesse for their support at his first meeting of the Committee as its new Chair.

Youth and Education

A. Committee Report

Commissioner Isadore Pivnick reported that the Committee had met on November 16th and would again meet on December 21st to review activities for the year. He thanked Commissioner Kai and Gail Roberts for a letter to Superintendent of Schools Ramon Cortines transmitting the HRC report on crack cocaine.

NEW MATTERS

Commissioner Martin noted that elections for Commission officers would be held in January, and announced his appointment of an Election Committee composed of Commissioners Gillette, Lockhart, and Pivnick.

Director Jamero announced that a tour of the HRC's new office space would be held on December 19th and December 21st for Commissioners and staff.

Commissioner Gillette expressed the Commission's thanks to Frederique Clermont, as she ended her internship with the HRC, thanking her for her work with the Select Committee on African American Parity, on "Human Rights Day" proclamations, and especially for her support of and participation in the Commissioner-management staff retreat.

Commissioner Pivnick expressed the Commission's thanks to HRC interns John Hurst and Paul De Rosa for their work in interviewing staff and Commissioners in preparation for the retreat, and for Mr. Hurst's comprehensive report on their findings.

CALENDAR MATTERS

*** It was m/s/c to cancel the December 28th meeting of the Commission.

STANDING COMMITTEES

ADMINISTRATIVE	to be announced
EMPLOYMENT	Thursday, January 18, 1990, 9:00 A.M.
HOUSING AND URBAN DEVELOPMENT	to be announced
LESBIAN/GAY ADVISORY	Tuesday, December 19, 1989, 5:30 P.M. War Memorial Veterans Bldg. 401 Van Ness Avenue, Room 110B
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Wednesday, January 10, 1990, 5:30 P.M. War Memorial Veterans Bldg. 401 Van Ness Avenue, Room 110B
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	Wednesday, January 24, 1990, 9:00 A.M. (location to be announced)
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, January 10, 1990, 9:00 A.M. War Memorial Veterans Bldg. 401 Van Ness Avenue, Room 110B
YOUTH AND EDUCATION	Thursday, December 21, 1989, 3:30 P.M. Commission on Aging, Conference Room 25 Van Ness Avenue

REMARKS FROM THE AUDIENCE

Janice Kramer, Cosmic Lady, offered her workshops, "Spiritual Aids: The Cosmic Breakthrough," free or by donation.

Ace Washington, Executive Director of the Western Addition Project Area Committee, expressed his concerns regarding contractors at the Plaza West and Alemany housing projects, and at the Fillmore Project. Commissioner Martin asked him to meet with HRC staff and submit a written report outlining the issues to the Commission.

Verna Tam complained regarding HRC staff investigation of a discrimination complaint. Commissioner Martin asked her to present her complaints in writing and to meet with Director Jamero.

ADJOURNMENT

There being no further business, Commissioner Martin adjourned the meeting at 11:20 A.M.

Respectfully submitted,

Peter M. Jamero, Executive Director
By:
Jacquie Hale, Coordinator

HRC:JH
IBM2-SP-HMM-1

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